

Howard N. Dashiell
DIRECTOR OF TRANSPORTATION

Road Commissioner
County Engineer, RCE 42001
County Surveyor, PLS 7148



FUNCTIONS

Administration & Business Services
Airports
Engineering
Land Improvement
Roads and Bridges
Landfills

COUNTY OF MENDOCINO
DEPARTMENT OF TRANSPORTATION
340 LAKE MENDOCINO DRIVE
UKIAH, CALIFORNIA 95482-9432
VOICE (707) 463-4363 FAX (707) 463-5474

April 9, 2019

Mendocino County Board of Supervisors
501 Low Gap Road, Room 1010
Ukiah, CA 95482

RE: ADOPTION OF THE RESOLUTION APPROVING DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 190007, IMPROVEMENT AGREEMENT FOR BRUSH MEADOWS APARTMENTS, WITH 510 BRUSH ST., L.P., A CALIFORNIA LIMITED PARTNERSHIP, AND AUTHORIZING AND DIRECTING THE CLERK OF THE BOARD TO EXECUTE CONSENTS TO RECORDATION FOR IRREVOCABLE OFFERS TO DEDICATE REAL PROPERTY FOR PUBLIC PURPOSES (UKIAH AREA)

Honorable Board Members:

Mendocino County Ordinance Number 4335, rezoned Assessor's Parcel Numbers (APNs) 002-050-16 and 002-050-17 (later merged to create APN 002-050-21), within a Mixed Use Site, from I-1:FP (Limited Industrial: Flood Plain) to R-3:FP:CR (Multi-Family Residential – Contract Rezone: Flood Plain), with said zoning changes subject to the conditions and restrictions set forth in the Contract for Compliance with Rezoning Conditions (Mendocino County Clerk-Recorder Document Number 2015-06141).

Said Contract for Compliance with Rezoning Conditions provides that prior to the completion of any project within the Mixed Use Site, the property owner shall construct all on-site circulation, infrastructure and open space improvements illustrated within the Mixed Use Site shown on the Brush Street Triangle Master Plan. Alternatively, the property owner may be allowed to construct interim roadway improvements necessary to serve the project and existing uses within the Mixed Use Site provided the property owner enters into an Improvement Agreement, consistent with Article VIII, Division of Land Regulations, to construct traffic circulation, infrastructure, and open space improvements when the County Engineer deems it necessary to serve future area-wide development within the Brush Street Triangle. Section 17-74 of the Mendocino County Code requires that an improvement agreement be secured by a surety bond, cash deposit, certified or cashier's check, or instrument of credit in such sum as is sufficient to cover the estimated cost of all required improvements.

In conjunction with the aforementioned development, the Contract for Compliance with Rezoning Conditions requires dedications to accommodate development of the required area-wide circulation,

infrastructure and open space improvements. 510 Brush St., L.P., a California Limited Partnership, is currently developing apartment housing on the above-named parcel. During development, they will complete the majority of the required improvements; however, they propose to enter into an Improvement Agreement for a portion of the improvements not necessary at this time to serve the project. Department of Transportation (DOT) Agreement Number (No.) 190007 provides for the remaining improvements, to be completed by the County at a future date, and secures assurance for such improvements by a corresponding cash deposit. Additionally, it ensures the required offers of dedication will be recorded within 30 days of the date of execution of the Agreement.

LOCATION: The Parcel is located approximately 0.25 +/- miles East of Ukiah City Limits lying North of Brush Street County Road (CR 217), located at 350 Brush Street, Ukiah.

APN: 002-050-21

DEDICATIONS: In conformance with conditions of the Contract for Compliance with Rezoning Conditions, the developer will make, within 30 days of the execution of the Agreement, the following dedications to the County of Mendocino by Irrevocable Offers to Dedicate Real Property:

PROPERTY DESCRIPTION OF DEDICATIONS: acquire in easement, 0.141 acres (6,142 square feet) more or less of certain lands of developer, which are more particularly described in Exhibit "A" and depicted on Exhibit "B" to Attachment 4 of the Improvement Agreement attached hereto and fully incorporated herein; and

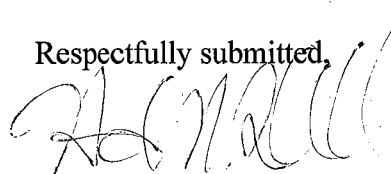
Acquire in fee, 0.090 acres (3,920 square feet) more or less of certain lands of developer, which are more particularly described in Exhibit "A" and depicted on Exhibit "B" to Attachment 3 of the Improvement Agreement attached hereto and fully incorporated herein.

The County Surveyor's Office recommends adoption of the proposed Resolution approving the Improvement Agreement and authorizing and directing the Clerk of the Board to execute Consents to Recordation of the Irrevocable Offers to Dedicate Real Property. The offers will be considered for acceptance by the Board, and may be adopted by Board resolution, at a later date.

STAFF ACTION: DOT recommends the Board adopt the resolution approving DOT Agreement No. 190007, Improvement Agreement for Brush Meadows Apartments with 510 Brush St., L.P., a California Limited Partnership, and authorizing and directing the Clerk of the Board to execute Consents to Recordation for Irrevocable Offers to Dedicate Real Property for Public Purposes.

I will, of course, respond to any questions the Board may have.

Respectfully submitted,



HOWARD N. DASHIELL
County Engineer/County Surveyor

cc: CR 217