



Mendocino County

Legislation Details (With Text)

File #: 19-0926 **Version:** 1 **Name:**

Type: Resolution **Status:** Consent Agenda

File created: 10/3/2019 **In control:** Transportation

On agenda: 11/12/2019 **Final action:**

Title: Adoption of Resolution Accepting on Behalf of the Public the Irrevocable Offer to Dedicate Real Property for Public Purposes, To Wit, for Public Streets from 510 Brush St., L.P., a California Limited Partnership, Located Approximately 0.15+/- Miles East of Ukiah City Limits, Lying Just North of Brush Street (County Road 217), 0.05 +/-Miles East of Its Intersection with Orr Street (County Road 216); 350 Brush Street; Assessor's Parcel Number 002-050-21 (Ukiah Area)

Sponsors: Transportation

Indexes:

Code sections:

Attachments: 1. Resolution 19-380, 2. Acceptance of Irrevocable Offer of Dedication Exhibit 1, 3. Offer to Dedicate (Brush) Attachment 1 Exhibit(s) A & B, 4. signed acceptance of irrevocable offer of dedication

Date	Ver.	Action By	Action	Result
11/12/2019	1	Board of Supervisors		

To: Board of Supervisors

From: Transportation

Meeting Date: November 12, 2019

Department Contact: Howard N. Dashiell

Phone: 463-4363

Item Type: Consent Agenda

Time Allocated for Item: N/A

Agenda Title:

Adoption of Resolution Accepting on Behalf of the Public the Irrevocable Offer to Dedicate Real Property for Public Purposes, To Wit, for Public Streets from 510 Brush St., L.P., a California Limited Partnership, Located Approximately 0.15+/- Miles East of Ukiah City Limits, Lying Just North of Brush Street (County Road 217), 0.05 +/-Miles East of Its Intersection with Orr Street (County Road 216); 350 Brush Street; Assessor's Parcel Number 002-050-21 (Ukiah Area)

Recommended Action/Motion:

Adopt Resolution accepting on behalf of the public the Irrevocable Offer to Dedicate Real Property for Public Purposes, To Wit, for Public Streets from 510 Brush St., L.P., a California Limited Partnership, located approximately 0.15+/- miles east of Ukiah City Limits, lying just north of Brush Street (County Road 217), 0.05 +/- miles east of its intersection with Orr Street (County Road 216); 350 Brush Street; Assessor's Parcel Number 002-050-21 (Ukiah Area); and authorize Chair to sign same; and authorize and direct the Clerk of the Board to execute the Acceptance of Irrevocable Offer of Dedication and deliver to the Recorder for processing and recording.

Previous Board/Board Committee Actions:

By Ordinance Number (No.) 4335 (May 5, 2015), the Board of Supervisors (BOS) changed the zoning of real property in Mendocino County, including rezoning two parcels Assessor's Parcel Numbers (APNs) 002-050-16 and 002-050-17 from I-1:FP (Limited Industrial: Flood Plain) to R-3: CR: FP (Multi-Family Residential - Contract Rezone: Flood Plain). A Contract for Compliance with Rezoning Conditions was recorded as document number 2015-06141, Mendocino County Records. By Resolution No. 19-158 (April 9, 2019), the Board approved Department of Transportation (DOT) Agreement No. 190007/BOS Agreement No. 19-121, Improvement Agreement for Brush Meadows Apartments, with 510 Brush St., L.P., a California Limited Partnership, and authorized and directed the Clerk of the Board to execute consents to recordation for irrevocable offers to dedicate real public purposes.

Summary of Request:

Mendocino County Ordinance No. 4335, rezoned APNs 002-050-16 and 002-050-17, within a mixed-use site, from I-1:FP (Limited Industrial: Flood Plain) to R-3: CR: FP (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 No. 2015-06141). The 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. In conjunction with the aforementioned improvements, 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., has recently completed the development of apartment housing on the above-named parcels, which have since been merged into one legal parcel (APN 002-050-21). On May 8, 2019, pursuant to both the Contract for Compliance with Rezoning Conditions and the Improvement Agreement for Brush Meadows Apartments, 510 Brush St., L.P., recorded with the Mendocino County Recorder an Irrevocable Offer to Dedicate Real Property for Public Purposes, to Wit, for Public Streets (Mendocino County Clerk-Recorder Document No. 2019-04894), for a 0.09 +/- acre strip of land along the north side of Brush Street, and as more particularly described in Exhibit A to the Offer to Dedicate included as Attachment 1, to accommodate the required right of way improvements. Also, during development, they completed the required improvements within the existing Brush Street right of way and the Brush Street dedication. DOT staff has inspected and accepted said improvements. DOT recommends the Board adopt the resolution accepting on behalf of the public the Irrevocable Offer to Dedicate Real Property for Public Purposes, To Wit, for Public Streets from 510 Brush St., L.P., a California Limited Partnership, and authorizing and directing the Clerk of the Board to execute the Acceptance of Irrevocable Offer of Dedication and deliver to the Recorder for processing and recording.

Alternative Action/Motion:

Do not accept the Irrevocable Offer to Dedicate Real Property and provide direction to staff.

Supervisory District: District 2

vote requirement: Majority

Supplemental Information Available Online At: N/A

Fiscal Details:

source of funding: N/A

current f/y cost: N/A

annual recurring cost: N/A

budgeted in current f/y: N/A

if no, please describe:

revenue agreement: No

budget clarification: N/A

Agreement/Resolution/Ordinance Approved by County Counsel: Yes

CEO Liaison: Steve Dunncliff, Deputy CEO

CEO Review: Yes

CEO Comments:

FOR COB USE ONLY

Executed By: Lindsey Dunham, Deputy Clerk I

Date: November 14, 2019

Final Status:**Adopted**

Executed Item Number: **Resolution** Number:
19-380

