



Mendocino County

Legislation Text

File #: 19-0240, **Version:** 1

To: Board of Supervisors

From: Transportation

Meeting Date: April 9, 2019

Department Contact: Howard N. Dashiell

Phone: 463-4363

Item Type: Consent Agenda

Time Allocated for Item: N/A

Agenda Title:

Adoption of 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)

Recommended Action/Motion:

Adopt 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); and authorize Chair to sign same.

Previous Board/Board Committee Actions:

By Ordinance Number (No.) 4335 (May 5, 2015), the Board of Supervisors 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.

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. 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, Title 17 of the Mendocino County Code, 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. 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., is currently developing apartment housing on the above-named parcels, which have since been merged into one legal parcel (APN 002-050-21). 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 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. Following execution of the proposed Improvement Agreement, 510 Brush St., L.P., will offer for dedication certain lands described as Exhibits "A" and shown on Exhibits "B" of the Irrevocable Offers to Dedicate Real Property, attached hereto, as required by the Contract for Compliance with Rezoning Conditions. 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 the Consents to Recordation for Irrevocable Offers to Dedicate Real Property for Public Purposes.

Alternative Action/Motion:

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

budget clarification: N/A

budgeted in current f/y: N/A

if no, please describe: N/A

revenue agreement: No

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

Date: April 10, 2019

Note to Department Number of Original Agreements
Returned to Dept: Two Original Agreement Delivered to
Auditor? Yes

Final Status: **Adopted**

Executed Item Number: **Resolution** Item
Number: 19-158; Agreement Number: 19-121

