



# Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Albert Balagso

**SUBJECT:** SEE BELOW

**DATE:** 02-07-07

Approved

*Rae Wilson*

Date

*2/12/07*

**COUNCIL DISTRICT:** 7

**SUBJECT: APPROVAL OF A TURNKEY PARKLAND AGREEMENT WITH ROEM DEVELOPMENT CORPORATION**

**RECOMMENDATION**

Approval of a Turnkey Parkland Agreement with ROEM Development Corporation, for Planned Development Permit PD06-062, associated with Tentative Map No. PT05-113.

**OUTCOME**

Approval of recommendations in this memorandum would allow the construction and dedication of a new turnkey park to the City. The park is estimated to be completed approximately three years from the date the City executes the Turnkey Parkland Agreement with the Developer.

**BACKGROUND**

The Developer, ROEM Development Corporation, is proposing the development of 689 multi-family units and 133 single-family attached units on a 29.5 gross-acre site located on the southwesterly corner of Goble Lane and Monterey Road. To fulfill its parkland obligation for PD06-062, the Developer is proposing to dedicate an approximately two-acre neighborhood park site and to develop the site as a turnkey park project. The proposed park elements consist of children's play areas, picnic areas, basketball court, volleyball court, barbeque areas, trash receptacles, drinking fountains, security lighting, turf and irrigation, landscaping, and walkways. The Proposed Park Concept Plan is attached as Attachment A. The Developer prepared a preliminary master plan for the park and presented it to the community on November 30, 2006, at the Chateau Le Salle Mobile Home Park.

## **ANALYSIS**

The proposed housing project consists of 689 condominium units within three- and four-story structures and 133 two- and three-story single-family attached units. The housing project is planned to be constructed in multiple phases, with park improvements on the two-acre site, to commence within approximately two-and-a-half years from the approval of this turnkey agreement. The approved project rezoning (PDC02-066) allowed up to 660 residential units and required the dedication and development of the two-acre park site. Additionally, the Developer will receive credits for eligible on-site recreation amenities proposed for the housing project.

The Developer entered into an interim parkland agreement with the City on June 29, 2006, to allow the City's approval of the first final map for the housing project. This interim parkland agreement required the Developer to provide the City with a Letter of Credit (LOC) in the amount \$5,287,850 to cover 660 residential units under their initial zoning PDC02-066 prior to execution of the final Turnkey Parkland Agreement. The LOC will be returned to the Developer once the Turnkey Parkland Agreement is executed.

The Turnkey Parkland Agreement provides for the dedication of a two-acre park that meets the Developer's parkland dedication obligation of 291 multi-family units. Park construction, design, and contingencies as well as the City's design review and inspection costs in the amount of \$2,623,630 will be further credited to the Developer's obligation, resulting in additional credits to the Developer for 357 multi-family units. Furthermore, the Developer will receive unit credits for an additional 41 multi-family units and 133 single-family attached units for installation of approximately 62,326 square feet of private recreation amenities (various sports courts, children's play lots, picnic areas and swim centers) throughout the housing project.

## **PUBLIC OUTREACH/INTEREST**

- Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criterion 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criterion 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

Community meetings were held during the General Plan Amendment (GPA) approval phase of this project (October 8 and 10, 2002), at which time the overall project impacts were discussed and evaluated. Local residents received notice of the October and November 2002 public hearings before the Planning Commission and subsequent City Council hearing in December

2002 for the proposed GPA. In addition, the Planning Department's website posted information regarding the GPA process, staff reports, and hearing schedules.

The initial rezoning for the project was presented to the community on April 21, 2005, after which the City Council approved the rezoning at their August 30, 2005 meeting. The developer came back to the Council for rezoning amendments in late 2006, and received final approval for a subsequent rezoning PDC06-034 on October 3, 2006, at which time the park was approved on a two-acre site.

An additional community meeting to discuss specifics of the park design concept was held on November 30, 2006, at the Chateau La Salle Mobile Home Park. Approximately 25 members of the neighborhood attended this meeting, expressing concerns about potential safety issues (particularly after-hour access to the site), surveillance, and park use by skateboarders. For the most part, the residents were very happy to see a proposal for a new neighborhood park close to their community.

The Parks and Recreation Commission conducted a public hearing on Wednesday, January 17, 2007, to consider an approval of a recommendation to the City Council for the new park master plan. The Commission recommended approval of the master plan and moved to amend the plan to include signage on Monterey Highway to advertise the new park after the park is constructed.

### **COORDINATION**

Preparation of the Turnkey Parkland Agreement and this memorandum has been coordinated with the City's Attorney's Office, City Manager's Budget Office, the Department of Public Works and the Department of Planning, Building and Code Enforcement.

### **COST SUMMARY/IMPLICATIONS**

To partially meet their parkland dedication ordinance requirements for application Rezoning PDC02-006, ROEM Development Corporation will be dedicating and improving a two-acre park. A portion of the project funding will be allocated to the City for design, review and inspection fees. These fees, totaling approximately \$661,000, are expected to be paid to the City within the next two years concurrent with the Developer's submission of 50% plans and specifications, and will be appropriated as a separate budget action in the appropriate budget cycle after they are collected. The annual maintenance cost to the City for the future park is estimated to be \$30,000 per year.

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CEQA

CEQA: Resolution No. 72877.

A handwritten signature in black ink that reads "Albert Balagso". The signature is written in a cursive style and extends to the right with a long horizontal line.

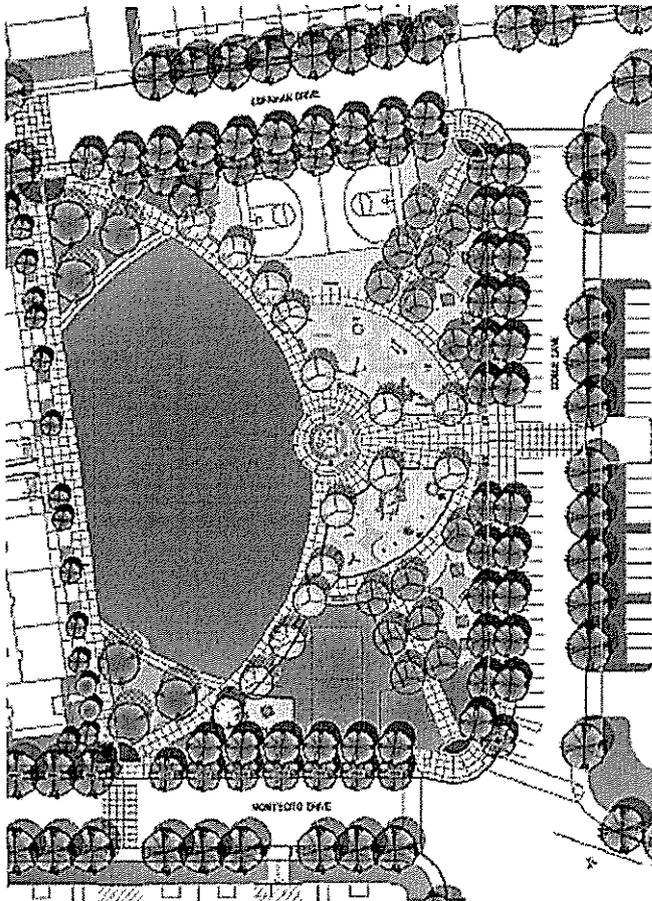
ALBERT BALAGSO  
Director of Parks, Recreation  
and Neighborhood Services

Attachment: Proposed Park Concept Plan

For questions please contact Brad Brown, Park Planner, at (408) 793-4178.

## PROPOSED PARK CONCEPT PLAN

### Park Master Plan



#### Concept

- Focal point of development
- Italian influence
- Maximize program for all users
- Safe and Secure
- Low Maintenance

#### Program

- Basketball and Volleyball
- Large Open Lawn Area
- Playgrounds
- Barbeque Areas
- Game Tables Area
- Pathways w/Trees Canopy
- Art Monument w/steps seating
- Columns at main entrance
- Site Furnishings
- Parking