

Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Sara L. Hensley
Larry D. Lisenbee

SUBJECT: SEE BELOW

DATE: 11-21-05

Approved

Date

11/30/05

Council District: 5
SNI Area: N/A

SUBJECT: ADOPTION OF APPROPRIATION ORDINANCE AND FUNDING SOURCES RESOLUTION AMENDMENTS IN THE PARK TRUST FUND, AND APPROVAL OF A TURNKEY PARKLAND AGREEMENT WITH JACKSON SQUARE, LLC

RECOMMENDATION

- a) Adoption of the following Appropriation Ordinance and Funding Sources Resolution Amendments in the Park Trust Fund:
 1. Establish an appropriation to the Department of Public Works in the amount of \$43,000 for the Madden Avenue/Jackson Avenue Park Turnkey Project; and
 2. Increase the estimate for Earned Revenue by \$43,000.
- b) Approve a Turnkey Parkland Agreement with Jackson Square, LLC, for Planned Development Permit PD04-008, associated with Tentative Map No. PT04-015.
CEQA: Mitigated Negative Declaration, PDC03-036.

BACKGROUND

The Developer, Jackson Square, LLC, ("Developer") is proposing the development of 159 multi-family units on a 2.3-gross-acre site located on the south side of Madden Avenue, easterly of Jackson Avenue. To fulfill its parkland obligation for PD04-008, the Developer is proposing a dedication of a 0.309-acre neighborhood park site and to develop the site as a turnkey park project. The proposed park elements consist of a children's play area, a small picnic area, trash

receptacles, drinking fountain, security lighting, artificial turf and low-maintenance landscaping, and concrete walkways. A copy of the Proposed Park Concept Plan is attached. The Developer prepared a preliminary site plan for the park and presented it to the community on July 14, 2005. This plan was then presented to the Parks and Recreation Commission on August 3, 2005. The Parks and Recreation Commission did not approve the recommended park Master Plan for this site as explained below.

ANALYSIS

The proposed housing project consists of 159 condominium units within three to four-story structures. The project is planned to be constructed in two phases. The park site is located between each project phase with major street access along Madden Avenue. An existing apartment complex and carport are located to the rear of the proposed park site, with the new condominium buildings at either side of the park site. The approved project zoning (PDC03-036) required the dedication and development of the 0.309-acre park site. Additionally, the Developer will receive credits for eligible on-site recreation amenities proposed for the condominium project.

The Parks and Recreation Commission conducted a public hearing on Wednesday, August 3, 2005, to consider an approval of a recommendation to the City Council for the new park Master Plan. The Commission recommended not approving the park Master Plan citing a number of concerns relative to access and security, maintenance, and the unsuitable location of this site for a future park. However, because the park site had been previously approved by City Council with the initial project zoning approval, the park design and development will go forward and be completed at this time as recommended by City Council. Modifications to the Master Plan have been implemented to address some of the concerns mentioned by the Commission. The plan now provides a more open entry to the front end of the park, allowing greater visibility into the park site from the adjacent street, and includes low maintenance turf, groundcover, and play area surface materials.

The Developer entered into an interim parkland agreement with the City on May 16, 2005, to allow building permits to be issued for the housing project. This interim parkland agreement required the Developer to submit an irrevocable offer of dedication for the 0.309-acre future park site and to provide the City with a Certificate of Deposit of \$300,000 prior to execution of the final Turnkey Parkland Agreement. The Certificate of Deposit will be returned to the Developer once the Turnkey Parkland Agreement is executed.

The Turnkey Parkland Agreement provides for the dedication of a 0.309-acre park, which meets the Developer's parkland dedication obligation for 45 multi-family units. The Developer will also receive credit for an additional 46 multi-family equivalent units for the private recreation amenities (bocce ball court, swimming pool and picnic areas) that will be installed in the housing project. The remaining Developer fee obligation of \$411,600, representing fee payment for 56 multi-family units, will be reserved for the design, construction and City review/inspection of the

proposed park and recreational amenities. Twelve units existing on the property prior to project construction were demolished, and were not counted in the calculation of the Developer's overall parkland obligation.

OUTCOME

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

PUBLIC OUTREACH

Community meetings were held with City staff to discuss the housing project at which time the proposed park site was introduced. A community meeting for the park design concept was held on July 14, 2005 to discuss the park project in more detail. Five members of the neighborhood attended this meeting, expressing concerns about potential safety issues (particularly after hour access to the site), surveillance, and front gate closure at night. The gate and fence have been removed from the park design since this meeting.

COORDINATION

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

BUDGET REFERENCE

Fund #	Appn. #	Appn. Name	Total Appn.	2005-2006 Proposed Capital Budget (Page)	Last Budget Action (Date, Ord. No.)
375	TBD	Turnkey Parkland Agreement Madden/Jackson Park Site	\$43,000	N/A	Recommended in this memorandum

COST IMPLICATIONS

To meet the parkland dedication ordinance requirements, Jackson Square, LLC will dedicate a 0.309 acre park site on the south side of Madden Avenue and construct a turnkey park. A portion of the project funding (\$43,000) will be allocated to the City for the design, review and inspection fees. Actions are recommended in this memorandum to recognize those funds and appropriate them to the Public Works Department for these services. The annual maintenance cost to the City is estimated to be \$7,000 per year and will be addressed in the 2006-2007 budget process.

CEQA

Mitigated Negative Declaration, PDC03-036.

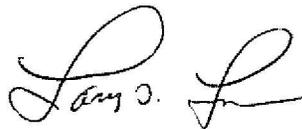


LARRY D. LISENBEE
Budget Director



SARA L. HENSLEY
Director of Parks, Recreation and
Neighborhood Services

I hereby certify that there will be available for appropriation in the Park Trust Fund in the Fiscal Year 2005-2006 monies in excess of those heretofore appropriated therefrom, said excess being at least \$43,000.



LARRY D. LISENBEE
Budget Director

Attachment: Proposed Park Concept Plan

