



Legislation Text

File #: 18-0762, Version: 1

Clerk of the Board recommending the Board approve corrected Minutes for agenda item number 31 approved on February 13, 2018 pertaining to the El Dorado Hills Apartments project. The Minutes are being corrected to reflect the Board's motion which included two additional conditions of approval as demonstrated in the Planning and Building Department Staff Memo dated February 12, 2018 pertaining to:

- 1) The provision of Public Open Space; and
- 2) The Intelligent Transportation Systems Master Plan Program.

The approved Minutes reflect the condition pertaining to the ITS Master Plan Program and did not reflect the condition pertaining to the Provision of Public Open Space. (Refer Item 31, 2/13/18, File 18-0193 Attachment S)

DISCUSSION / BACKGROUND

On May 1, 2018 the Clerk of the Board was notified by the Planning and Building Department that the Minutes for Item 31 on February 13, 2018 did not contain the two additional conditions of approval as recommended by staff in their memo to the Board dated February 12, 2018. The full text of the two additional conditions were:

Condition 13. Provision of Public Open Space. In addition to provision of common openspace pursuant to the requirements of the revised Town Center East Development Plan development standards, at least 0.47 acres of the site that are bounded on two sides by Vine Street and Mercedes Lane shall be set aside as open space accessible to the general public for passive recreational uses, subject to reasonable restrictions and conditions of public access to ensure the safety of the public and site residents, as determined by the Property Owner. Dedication of this publicly-accessible open space area to a public entity shall not be required.

Condition of Approval No.17 ITS Program Fee Payment. The project applicant shall pay a fee of \$ 173,441.00 to the El Dorado County Department of Transportation's Intelligent Transportation Systems Master Plan Program ("ITS Program"). Payment shall be made by the applicant prior to issuance of a Certificate of Occupancy for the Project. If, at that time, the County has not yet adopted and implemented the ITS Program as part of a mandatory fee program applicable in part to multi-family residential development projects, funds received from the applicant shall be held in a special revenue fund until such time as the County has adopted and implemented the ITS Program, at which time the funds shall be transferred into the ITS Program account. The project applicant has voluntarily agreed to pay the above-described fee, notwithstanding that the ITS Program has not yet been adopted and implemented by the County. The project applicant and County have agreed that (1) there is a reasonable relationship/nexus between the proposed ITS Program and the project, and (2) if the ITS Program were currently in effect, the County could require the project applicant to pay the above-described fee as its fair-share payment into the Program for project-related impacts to the County's transportation system that will be mitigated by implementation of the ITS Program. Additionally, the applicant is hereby notified, in accordance with Government Code section 66020, that the 90-day period within which to protest the imposition of this condition shall commence upon the date of the Board of Supervisors' approval of the Project.

Upon review of the meeting video, the Clerk verified that the motion approved by the Board included the two additional conditions. This item seeks to make formal correction to the Minutes for the permanent record.

ALTERNATIVES

N/A

OTHER DEPARTMENT / AGENCY INVOLVEMENT

N/A

CAO RECOMMENDATION / COMMENTS

It is recommended that the Board approve this item.

FINANCIAL IMPACT

There is no financial impact associated with this item.

CLERK OF THE BOARD FOLLOW UP ACTIONS

The Clerk will publish and file corrected Minutes for February 13, 2018.

STRATEGIC PLAN COMPONENT

Good Governance

CONTACT

Jim Mitrisin, Clerk of the Board