



Legislation Text

File #: 19-1096, **Version:** 1

Department of Transportation recommending the Board authorize the Chair to sign the Credit and Reimbursement Agreement for the Construction of the Country Club Drive Realignment - Bass Lake Road to Tierra De Dios Drive, CIP 71360 and the U.S. Highway 50 / Bass Lake Road Eastbound Off Ramp Intersection Signalization, CIP 73367 Projects between the County and Lennar Winncrest, LLC, (AGMT 19-54921).

FUNDING: Traffic Impact Mitigation Fees.

DISCUSSION / BACKGROUND

The Bell Ranch, Bell Woods and Hawk View residential subdivision projects have been included in the Bass Lake Hills Specific Plan for 20 plus years. As growth in this Specific Plan area has progressed these projects are now moving forward, along with certain requisite off-site road improvements to mitigate the traffic impacts of development. Various prior approvals and agreements listed below have defined the funding and construction obligations for those off-site improvements, including portions that are eligible for fee credits or reimbursement to the developer through the Traffic Impact Mitigation (TIM) Fee Program. Credit and Reimbursement Agreement for the Construction of the Country Club Drive Realignment - Bass Lake Road to Tierra De Dios Drive, CIP 71360 and the U.S. Highway 50 / Bass Lake Road Eastbound Off Ramp Intersection Signalization, CIP 73367 Projects between the County and Lennar Winncrest, LLC., AGMT 19-54921 (Agreement) provide the specific terms and conditions for implementing those fee credits and reimbursements.

On April 28, 2018 the Planning Commission approved revisions to three residential Tentative Subdivision Maps; TM00-1371R/TM00-1371E (Hawk View), TM96-1321/TM96-1321-E-2 (Bell Ranch) and TM01-1380-R/TM01-1380E (Bell Woods) allowing for the development of 281 residential units. Each of these approvals contained conditions requiring the construction of the specific off-site improvements including the Country Club Drive Realignment - Bass Lake Road to Tierra De Dios Drive (CIP 71360) and advance funding for portions of the U.S. Highway 50 / Bass Lake Road Eastbound Off Ramp Intersection Signalization (CIP 73367) Projects.

On September 19, 2017 (Items 22, 23 and 24), the Board approved Community Benefit and Development Agreements, DA16-0001 (Hawk View), DA 16-0002 (Bell Ranch) and DA 16-0003 (Bell Woods), hereinafter collectively referred to as Development Agreements, with Lennar Winncrest, LLC, (Developer). These Development Agreements established the County and Developer responsibilities for funding and constructing the Country Club Drive Realignment (CIP 71360) and US Highway 50 Eastbound Off Ramp Signal (CIP 73367) including timing and reimbursement details.

Specifically, Section 3, Subsection 3.2.1 of the Development Agreements require the Developer to fund and/or construct the Country Club Drive Realignment - Bass Lake Road to Tierra De Dios Drive Project (CIP 71360, which is included in the County's Capital Improvement and Traffic Impact Mitigation (TIM) Fee programs. The Developer elected to construct the project, and on August 27, 2019 (Item 28), the Board approved an Offsite Road Improvement Agreement (19-54906) with the

Developer authorizing construction. The Country Club Drive Realignment project is currently under construction and scheduled for completion in summer 2020.

Section 3, Subsection 3.2.5 of the Development Agreements require the Developer to provide \$240,000 in funding towards the design and construction of the US Highway 50 / Bass Lake Road Eastbound Offramp (CIP 73367) project. This project is currently under design by the County and scheduled to begin construction in summer 2020.

Section 3.3 of the Development Agreements provides that certain costs of the projects, which fall within the County's TIM Fee Program will be reimbursable to the Developer through the application of TIM Fee credits and cash reimbursement.

The obligations for construction and advance funding, and commitment to TIM Fee Credits and Reimbursement were made by the above discussed Development Agreements. The Credit and Reimbursement Agreement provides the specific terms and details of how the credits and reimbursements will be implemented.

ALTERNATIVES

N/A

PRIOR BOARD ACTION

Outlined in the Discussion / Background section above.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel

CAO RECOMMENDATION / COMMENTS

Approve as recommended.

FINANCIAL IMPACT

Reimbursements and Fee Credits will be provided from the applicable TIM Fee Zone (Hawk View - Zone 8 and Highway 50, Bell Ranch and Bell Woods - Zones 1-7). At this time obligations from the specific TIM Fee Accounts are projected as follows:

Zone 8 Local TIM -	\$5,307,166	(\$1,606,374 Credits + \$3,700,792 Cash)
Zone 1-7 Local TIM -	\$6,947,982	(\$1,511,016 Credits + \$5,436,966 Cash)
Highway 50 TIM -	\$ 240,000	(\$238,238 Credits + \$1,762 Cash)

CIP 71360 - Bass Lake Country Club Realignment - \$12,255,148 (estimated)

CIP 73367 - US Highway 50 Bass Lake / Eastbound Off Ramp Advance - \$240,000

TIM Fees Credits will be issued at the time of building permit issuance, in an amount equal to the then current amount (subject to adjustment if/when TIM Fees are updated). This amount is currently projected to be:

Hawkview Local TIM Credits -	\$1,606,374	(114 units x \$14,091) Zone 8
Hawkview Hwy 50 TIM Credits -	\$ 238,238	(26 units x \$9,163) Highway 50 TIM
Bell Ranch Local TIM Credits -	\$1,022,424	(113 units x \$9,048) Local Zone 2

Bell Woods Local TIM Credis - \$ 488,592 (54 units x \$9,048) Local Zone 2

Reimbursements will be made in five annual payments beginning one year after road improvement project acceptance.

CLERK OF THE BOARD FOLLOW UP ACTIONS

- 1) The Clerk of the Board will obtain the Chair's signature on three (3) originals of the Agreement.
- 2) The Clerk of the Board will forward two (2) fully executed originals of the Agreement to Transportation, attention Julie Millard, for further processing.

STRATEGIC PLAN COMPONENT

Infrastructure

CONTACT

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