



STAFF REPORT

Date: October 27, 2011
To: Park Commission
From: Claude Garciacelay, Park Planner
Cc: Brian Roney, Interim Parks Director
Subject: Parks Mitigation Fees Credit Request - Tree Farm Housing Project

RECOMMENDATION:

That the Park Commission consider a request from the agent for the Tree Farm Housing Project for a credit of 50% on the assessed Quimby and Development Mitigation Fees, and that the Park Commission provide its recommendation on the requested credit to the Board of Supervisors.

SUMMARY

The above request was received by County Parks from Jeffrey C. Nelson, agent for the applicant, for consideration of a credit on the applicable Quimby and Development Mitigation Fees assessed on the project in consideration of the provision of on-site recreational facilities to serve the residents of the subdivision and overall project. Both the Quimby ordinance and Parks' Development Mitigation Fee ordinance provides the potential for credit on assessed fees for eligible projects for the provision of on-site recreational facilities. The Park Commission's adopted Fee Credit Program provides the policy direction necessary to consider such requests.

The Tree Farm Housing Project is made up of 134 new homes on 26.1 acres and consists of 5 housing types: garden apartments, townhomes, garden homes, mid size homes and larger homes. The development will provide various recreational amenities for the residents including a swimming pool; community building with an arts and crafts area and an exercise room; a group picnic area; a children's play area; ½ court basketball court; walking/running paths; amphitheatre; and open space/open play recreation area.

Based on Staff's review of the project and proposed recreation amenities in consideration of the Park Commission's established Fee Credit Program, staff recommends that the Park Commission provide its recommendation to the Board for the requested fee credit at the 50% level.

BACKGROUND

The proposed facilities that match the criteria from the Commission's Fee Credit Program for credit consideration are as follows: Children's Play Area (tot lot), Group picnic area, Swimming pool, Community recreation building, Outdoor Recreation (informal court), recreation trails and informal recreation area (turf playfield). The available credit is dependent on the different types

of new facilities provided for use by the residents of the project and not the number of those facilities.

The agent's credit request submittal for the Tree Farm Housing project requests that the Commission consider a credit of 50% for the project. Sec. 21-109 of the Quimby ordinance that governs credit consideration is specific to "Credit for Recreational Improvements within Common Open Space". All planned recreation facilities proposed by the developer meet the criteria.

Therefore, staff's review of the on site facilities being provided by this project for the use of the residents of the project is as follows:

Eligible recreation facilities in the development:

Childrens' Play Area (tot lot)	demand level 1
Group Picnic Area	demand level 1
Community Recreation Building	demand level 1
Swimming Pool	demand level 1
Outdoor Sports (informal court)	demand level 2
Informal Recreation	demand level 3
Recreational Trails	demand level 3

The above list of facilities would be eligible for a 50% credit on assessed Quimby and Development Mitigation Fees.

FISCAL IMPACT:

Quimby Fee in the demand area at project completeness = \$10,750 per lot/dwelling unit
Full fee for TM14,760 = **\$1,161,00.00** (\$10,750 x 108)

Development Mitigation Fees for the proposed apartment housing = \$7,436 per unit
Full fee for 08DVP-012 = **\$178,464** (\$7436 x 24)

Grand Total full fees for the project = **\$1,339,464**

50% credit = \$669,732 **Fees to be collected = \$669,732.00**

NEXT STEPS

The Park Commission's Recommendation will be forwarded to the decision makers (Planning Commission and Board of Supervisors) for final decision on the fees for the Tree Farm Housing Project.

If fees are approved, Prior to the recordation of tract map the developer (as declarant for the Homeowner's Association) shall enter into an agreement, satisfactory to County Counsel, which guarantees the construction and continuing maintenance of the above described facilities which are contained within the private development. County Parks shall review final plans and

specifications for the proposed recreational facilities in conformance with the approved guidelines adopted by the Park Commission. The developer shall provide County Parks with a cost estimate for the installation of the recreational facilities and provide a bond, based on the amount agreed upon by County Parks, for the installation of the recreational facilities. County Parks will collect Quimby fees prior to land use clearance, Development Mitigation Fees prior to building occupancy and shall release the security bond once the facilities have been installed by the developer and approved by County Parks.

ATTACHMENTS

Attachment 1 - Park Commission's adopted Fee Credit Program

Attachment 2 - Project description from Agent titled "Tree Farm"

Attachment 3 - Agent's Letter requesting Credit dated 9/2/2011 with exhibits

Attachment 4 - Additional Photos – Children's Play Elements
