



# Monterey County

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## Board Report

Legistar File Number: A 17-490

December 12, 2017

Introduced: 11/29/2017

Current Status: Consent Agenda

Version: 1

Matter Type: BoS Agreement

- a. Accept the Phase 3 Final Map of the East Garrison Subdivision dividing a 67.12 acre parcel into 192 residential parcels, a 150-unit condominium parcel, 5 open space/park parcels, 2 townhome parcels, 2 apartment parcels, and 23 parcels for development of the future Arts-Historic District;
- b. Approve and accept a Conservation & Scenic Easement Deed over a 14.6-acre portion of APN 031-161-036 as required by Condition of Approval #17 of Combined Development Permit PLN030204, and authorize the Chair to sign the Acceptance and Consent to Recordation;
- c. Approve the Subdivision Improvement Agreement for East Garrison Phase 3 and authorize the Chair to execute the Agreement;
- d. Accept the Tax Clearance Letter and Subdivision Map Guarantee;
- e. Direct the Clerk of the Board to submit the executed Scenic & Conservation Easement, Final Map, and Subdivision Improvement Agreement to the County Recorder for filing with recording fees paid by the applicant, and submit the Faithful Performance and Labor and Material Security, and the Tax Clearance Letter from the Tax Collector as required by the County Recorder's Office.
- f. (Final Map - PLN030204/UCP East Garrison, LLC, Fort Ord Master Plan, East Garrison Specific Plan)

Proposed CEQA Action: Statutorily Exempt per Section 15268(b)(3)

Location: East Garrison Track 0, Former Fort Ord, south of Reservation Road, northeast of the intersection of West Camp Street and Watkins Gate Road

### PROJECT INFORMATION:

Planning File Number: PLN030204

Owner: UCP East Garrison, LLC

Project Location: East Garrison Track 0, Former Fort Ord, south of Reservation Road, northeast of the intersection of West Camp Street and Watkins Gate Road

APN: 031-161-005-000, 031-161-016-000, 031-161-021-000, 031-161-022-000, 031-161-023-000, and 031-161-036-000

Agent: Jim Fletcher, Division President, UCP East Garrison, LLC

Plan Area: Fort Ord Master Plan, East Garrison Specific Plan

Flagged and Staked: No

CEQA Action: Statutorily Exempt per CEQA Guidelines Section 15268 (b)(3)

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Find that accepting the Phase 3 Final Map for East Garrison Subdivision is Statutorily Exempt

- per Section 15268(b)(3) of the CEQA Guidelines;
- b. Accept the Phase 3 Final Map of the East Garrison Subdivision dividing a 67.12 acre parcel into 192 residential parcels, a 150-unit condominium parcel, 5 open space/park parcels, 2 townhome parcels, 2 apartment parcels, and 23 parcels for development of the future Arts-Historic District;
  - c. Approve and accept a Conservation & Scenic Easement Deed over a 14.6-acre portion of APN 031-161-036 as required by Condition of Approval #17 of Combined Development Permit PLN030204, and authorize the Chair to sign the Acceptance and Consent to Recordation;
  - d. Approve the Subdivision Improvement Agreement for East Garrison Phase 3 and authorize the Chair to execute the Agreement;
  - e. Accept the Tax Clearance Letter and Subdivision Map Guarantee;
  - f. Direct the Clerk of the Board to submit the executed Scenic & Conservation Easement, Final Map, and Subdivision Improvement Agreement to the County Recorder for filing with recording fees paid by the applicant, and submit the Faithful Performance and Labor and Material Security, and the Tax Clearance Letter from the Tax Collector as required by the County Recorder's Office.

**SUMMARY/DISCUSSION:**

On October 4, 2005, the Board of Supervisors approved the East Garrison Specific Plan (Board of Supervisors Resolution No. 05-266) and a Combined Development Permit (PLN030204/East Garrison Partners, LLC - Board of Supervisors Resolution No. 05-267) which included a Vesting Tentative Subdivision Map for the subdivision of 244 acres into 1,400 dwelling units, 70 second units, 75,000 square feet of commercial buildings, 11,000 square feet of public buildings and 100,000 square feet of artist studio/public uses on a portion of the former Fort Ord, subject to 266 conditions of approval. As outlined in the East Garrison Specific Plan and the Combined Development Permit, development of East Garrison is being implemented in three phases: Phase 1 Neighborhood, Phase 2 Neighborhood and the Phase 3 Neighborhood, including the Historic and Arts District and a "Town Center" comprising 34,000 square feet of commercial, retail and community uses.

Consistent with Section 66456.1 of the Subdivision Map Act and the East Garrison Specific Plan, UCP East Garrison, LLC has previously filed final maps for Phases 1 and 2, and this map, Phase 3 Final Map, is the last map recordation to complete the project related to the approved Vesting Tentative Map. The subject recommended actions will create 192 residential parcels, a 150-unit condominium parcel, 5 open space/park parcels, 2 townhome parcels, 2 apartment parcels, and 23 parcels for development of the future Arts-Historic District. In accordance with Section 66474.1 of the Subdivision Map Act, the final map has been reviewed and found to be in substantial conformance with the approved Vesting Tentative Map.

In accordance with Section 66473 of the Subdivision Map Act and consistent with the requirements of the County of Monterey Conditions of Approval and Mitigation Monitoring and Reporting Programs (adopted by the Board of Supervisors February 14, 2017, Resolution No. 17-049), all conditions of approval requiring compliance prior to recordation of the Phase 3 Final Map have been satisfied. **Attachment G**, Condition Compliance Verification, provides a report with corresponding Condition Compliance Forms demonstrating satisfaction with conditions and mitigations for all phases of the

development. All conditions of approval that require monitoring after recordation of the Phase 3 Final Map are listed with “on-going” status to ensure continued compliance.

**Attachment E**, Subdivision Improvement Agreement for East Garrison Phase 3, sets forth the terms and conditions for implementing the required subdivision infrastructure improvements. The developer has provided all required bonds and securities to guarantee funding to complete the required improvements. The developer has submitted a tax clearance certificate in accordance with Government Code Section 66492 and the Final Map Guarantee in accordance with Government Code Section 66465 of the Subdivision Map Act. The Agreement has been reviewed and approved as to form by the Office of the County Counsel.

The infrastructure improvements to be constructed include all on-site utilities, storm drains, and paved private streets together with sidewalks, street lights, and street landscaping. The improvements will also include a portion of Watkins Gate Road, including Class 2 bicycle lanes, for dedication as a public right-of-way, and construction of a new traffic signal at the intersection of Reservation Road and Watkins Gate Road, and maintenance by the County as part of the County road system.

The developer obtained a grading permit (Permit No. 16CP03771) and has completed rough grading of the Phase 3 area. It is anticipated that construction of the Phase 3 improvements will begin upon approval of the recommended map, plans, and subdivision agreement, and are estimated to be complete in approximately twelve months.

Affordable housing requirements of 20 percent inclusionary units and 10 percent workforce units will be met through construction of 66-unit low-income rental apartment complexes in each of the three phases, a total of 84 moderate-income Town Home units (19 units in Phase 1, 55 units in Phase 2, and 10 units in Phase 3), and a total of 140 units of affordable (Work Force 2) units (47 units in Phase 1, 47 units in Phase 2, and 46 units in Phase 3).

Recreation requirements of the Monterey County Subdivision Ordinance (Section 19.12.010) for Phase 3 will be met by providing open space parcels, including parcels for development of active park areas and passive open space areas, including two 1-acre neighborhood “pocket” parks, and a 16.5-acre open space parcel.

**OTHER AGENCY INVOLVEMENT:**

The following agencies have reviewed the project and have cleared their recommended conditions for recording of the final map:

- Environmental Health Bureau
- RMA-Land Use & Community Development Division (Planning, County Surveyor & Development Services, Environmental Services, Parks)
- RMA-Public Works & Facilities Division (Traffic Engineering, Road & Bridge Engineering)
- Water Resources Agency
- Monterey Regional Fire District
- Monterey County Sheriff's Office
- Monterey County Agricultural Commissioner

The Marina Coast Water District, the developer, and the East Garrison Public Finance Authority have approved a *Water, Sewer, and Recycled Water Infrastructure Agreement for East Garrison Phase 3 Agreement*, for design, potential bonding, and construction of the subdivision water and sewer systems, including a reclaimed water irrigation system.

FINANCING:

There is no impact to the General fund as a result of approving the recommended actions.

The Disposition and Development Agreement (DDA) between the Developers and the Successor Agency to the former Redevelopment Agency of the County of Monterey sets forth the financial agreement relative to the sale of land to the Developers, and the program to provide funding for the construction of infrastructure and finance terms to support the East Garrison project. The DDA requires that this financing program be “revenue neutral” to all County Funds, meaning that annual tax revenues to the County, Monterey County Regional Fire District (formerly Salinas Rural Fire District), and Monterey-Salinas Transit from the East Garrison project shall equal or exceed costs the County, the fire district, and MST incur in providing urban services to the project.

The Board of Supervisors approved the formation of the East Garrison Public Facilities District and the East Garrison Community Services District to enable the financing of infrastructure construction and on-going services, and has implemented special taxes on the new development to fund these programs.

Costs associated with administering the East Garrison development are budgeted in Fund 182, Unit 8431 (East Garrison Developer Reimbursements). The Board of Supervisors approved a Project Reimbursement Agreement among the County, the former Redevelopment Agency, and the Developer relating to administrative staff and consulting costs during the project implementation. Funds received under this reimbursement agreement will be deposited into the same fund.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The recommended action complies with the following Board FY15-16 Strategic Initiatives:

- Strategic Initiative for Economic Development, “Through collaboration, strengthen economic development to ensure a diversified and healthy economy”, by “Creating better paying jobs... (and) adding to the economic vitality of the County.”
- Strategic Initiative for Administration, “Promote an organization that practices efficient and effective resource management and is recognized for responsiveness, strong customer orientation, accountability, and transparency,” by “...sustaining core services and efficiently allocating resources,” and by “...Improve efficiency and effectiveness of County services.”
- Strategic Initiative for Infrastructure, “Plan and develop a sustainable, physical infrastructure that improves the quality of life for County residents and supports economic development results”, by “Improving the conditions of ...roads...”, and by “Providing for adequate...infrastructure.”

Check the related Board of Supervisors Strategic Initiatives:

X Economic Development

- ☒ Administration
- ☐ Health & Human Services
- ☒ Infrastructure
- ☐ Public Safety

Prepared by: Anna V. Quenga, Associate Planner, RMA-Land Use & Community Development  
Division, Ext. 5175

Reviewed by: Jacqueline Onciano, Planning Services Manager, RMA-Land Use & Community  
Development Division

Approved by: Carl Holm, AICP, RMA Director

The following attachments are on file with the Clerk of the Board:

- Attachment A - Vicinity Map
- Attachment B - Scenic & Conservation Easement
- Attachment C - Final Map
- Attachment D - Tax Clearance Certificate
- Attachment E - Subdivision Improvement Agreement for East Garrison Phase 3
- Attachment F - Subdivision Bonds
- Attachment G - Condition Compliance Verification

cc: Front Counter Copy; Jacqueline Onciano RMA Planning Services Manager; Melanie Beretti,  
RMA Special Programs Manager; G.H. Nichols, PE, Special Projects Engineer; Anna V. Quenga,  
Associate Planner; UCP East Garrison, LLC, Applicant/Owner; Jim Fletcher, Division President,  
UCP East Garrison, LLC, Agent; Interested Parties; The Open Monterey Project (Molly Erickson);  
LandWatch (Executive Director); Project File PLN030204