

MEMORANDUM

TO: CITY COUNCIL

FROM: TERESA MCCLISH, COMMUNITY DEVELOPMENT DIRECTOR

BY: CARMEN LEYVA, ASSOCIATE ENGINEER

SUBJECT: CONSIDERATION OF ACCEPTANCE OF PUBLIC IMPROVEMENTS FOR CONDITIONAL USE PERMIT NO. 12-004, THE BRANCH STREET MARKET PROJECT PHASE I, LOCATED AT THE 300 BLOCK OF EAST BRANCH STREET

DATE: MARCH 11, 2014

RECOMMENDATION:

It is recommended the City Council adopt a Resolution accepting the public improvements for Conditional Use Permit No. 12-004, Branch Street Market Project, Phase I, located at the 300 block of East Branch Street.

IMPACT ON FINANCIAL AND PERSONNEL RESOURCES:

By accepting the improvements, the City will become responsible for maintenance and will eventually incur costs associated with adding infrastructure to its inventory.

BACKGROUND:

On July 17, 2012, the Planning Commission conditionally approved Conditional Use Permit No. 12-004 authorizing the development of a phased mixed-use project consisting of a 9,754 square foot market (Phase I) and future residential development of approximately 0.92 acres (Phase II). The Phase I (Branch Street Market) project is located at the 300 block of East Branch Street, adjacent to what is commonly known as the JJ's property.

ANALYSIS OF ISSUES:

A depiction of the public improvements for Phase I is attached as Exhibit "A" to the proposed Resolution. The public improvements include new concrete sidewalk and driveway approaches, sewer and water services. Staff has inspected the improvements and recommends that the City Council accept the improvements as constructed.

ALTERNATIVES:

The following alternatives are provided for the Council's consideration:

- Accept the public improvements; or
- Do not accept the public improvements; or
- Provide direction to staff.

**CITY COUNCIL
CONSIDERATION OF ACCEPTANCE OF PUBLIC IMPROVEMENTS FOR
CONDITIONAL USE PERMIT NO. 12-004, THE BRANCH STREET MARKET
PROJECT PHASE I, LOCATED AT THE 300 BLOCK OF EAST BRANCH STREET
MARCH 11, 2014
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ADVANTAGES:

The City will have legal access to operate and maintain the public water and public sewer improvements. The City will be able to ensure that the improvements are in good working order.

DIADVANTAGES:

The disadvantage of accepting the improvements would be if subsequent deficiencies in the work are identified. However, the contract documents include a one-year warranty period for the contractor to address any construction defects that may arise.

ENVIRONMENTAL REVIEW:

No environmental review is required.

PUBLIC NOTIFICATION AND COMMENTS:

The Agenda was posted in front of City Hall on Thursday, March 6, 2014. The Agenda and report were posted on the City's website on Friday, March 7, 2014. No public comments were received.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ACCEPTING THE PUBLIC IMPROVEMENTS FOR CONDITIONAL USE PERMIT NO. 12-004, BRANCH STREET MARKET PROJECT, PHASE I, LOCATED AT THE 300 BLOCK OF EAST BRANCH STREET

WHEREAS, the Planning Commission approved CUP 12-004 on July 17, 2012; and,

WHEREAS, the developer has constructed the improvements required by CUP 12-004 conditions of approval, Phase I; and,

WHEREAS, the developer has constructed the improvements required by the Development Improvement Agreement.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Arroyo Grande does hereby accept the public improvements constructed for CUP 12-004, as shown on exhibit "A".

1. Public Water Easement and Associated Improvements,
2. Public Street Tree Easement and Street Trees,
3. Public curb, gutter, sidewalk and streets on E. Branch Street.

On motion of Council Member _____, seconded by Council Member _____, and by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

the foregoing Resolution was passed and adopted this _____ day of _____ 2014.

**RESOLUTION NO.
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JIM GUTHRIE, MAYOR PRO TEM

ATTEST:

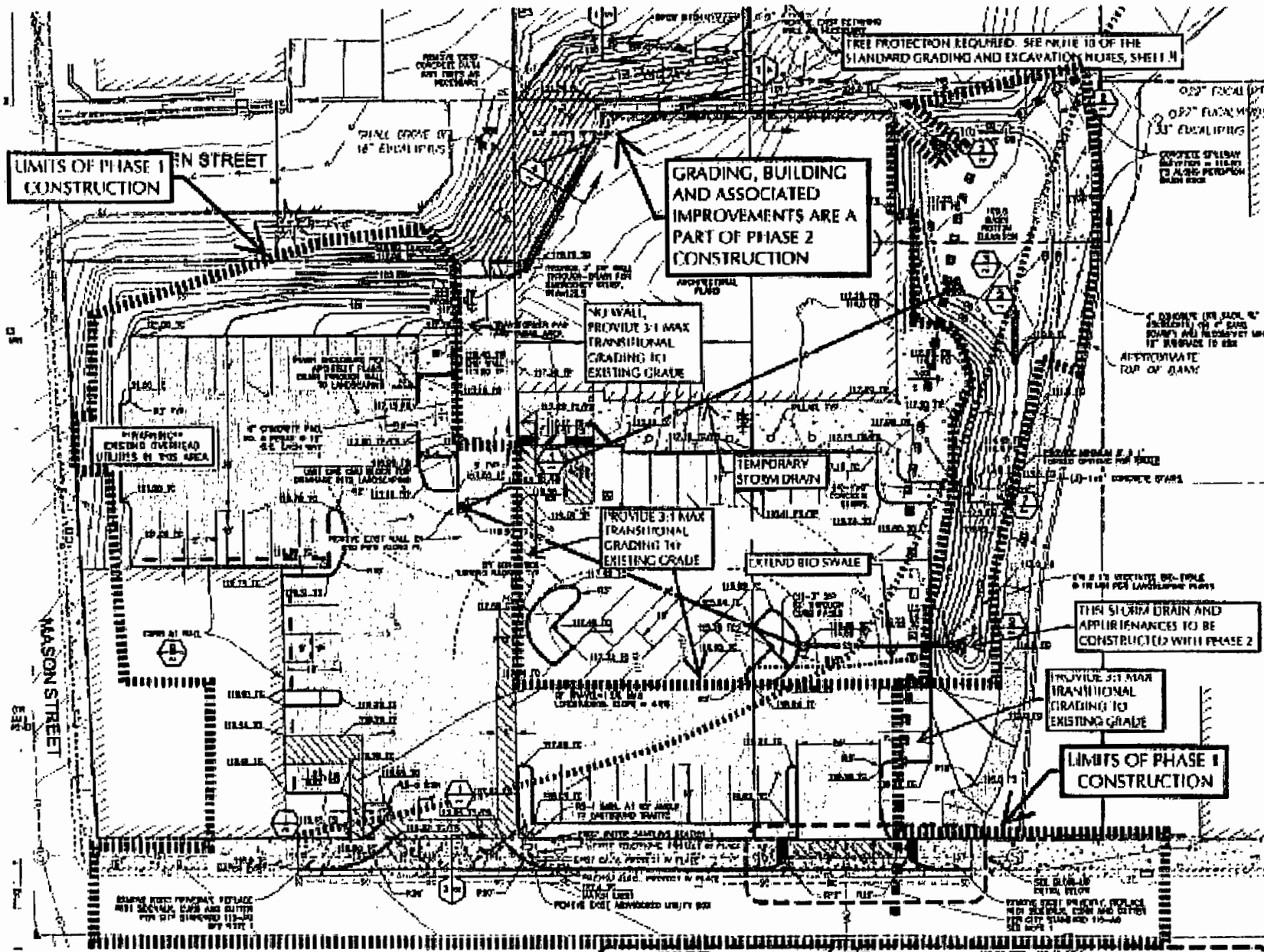
KELLY WETMORE, CITY CLERK

APPROVED AS TO CONTENT:

STEVEN ADAMS, CITY MANAGER

APPROVED AS TO FORM:

TIMOTHY J. CARMEL, CITY ATTORNEY



East Branch Street

Exhibit "A"

Branch Street Market, Phase I Improvements

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