



Staff Report

RESOLUTION APPROVING ASSEMBLAGE OF PARCELS IN THE LOS COSTANOS COMMUNITY PROJECT AREA TO BE DEVELOPED BY A MASTER DEVELOPER (SHOREWAY PLACE PROJECT)

Honorable Chair and Board Members:

Summary

Approval of the attached resolution would approve creation of the unified development area for the Shoreway Place Project target economic development site. For that to occur, the Board must assemble the parcels identified on the map attached as Exhibit A (the "Affected Parcels") for the purpose of aggregating the land so it can be developed by one developer (a "Master Developer") as a unified development.

Background

The Redevelopment Agency (the "Agency") is the owner of record of property located in the Los Costanos Community Development Project Area (the "Project Area"). On May 28, 1991, the Agency adopted Resolution No. 105 adopting Amended and Restated Rules for Business Tenant Preference and Owner Participation for the Project Area. These restated rules determined that the Agency may, in its reasonable discretion, assemble several parcels to be developed by a Master Developer as a unified development.

If the Board determines that it is in the best interest of the Project Area to assemble the Affected Parcels and have one Master Developer, it will adopt the attached resolution. The resolution, if adopted, will authorize the Agency to invite developers to submit a proposal to be the Master Developer. Proposals may be submitted alone, with other owners of Affected Parcels or with third parties.

Discussion

The Board's consideration of the attached resolution and subsequent selection of the Master Developer, will be conducted pursuant to the provisions for owner participation set forth the Amended and Restated Rules for Business Tenant Preference and Owner Participation in the Los Costanos Community Development Project Area (the "Rules").

Adoption of the attached resolution will also require the Board to establish criteria for Master Developer selection which are appropriate to the size, scope, character and quality of the

envisioned development, and shall select a Master Developer accordingly. Staff will issue a Request for Proposals for redevelopment of the Project Area, and will distribute the selected proposal to the owners of the affected parcels. It is anticipated that at least one of the affected property owners will submit a proposal.

Pursuant to the Rules, the posting of this staff report serves as public notice to the owners of record of the Affected Parcels to inform them of their opportunity to be heard on this matter prior to the Board's action on the resolution. Staff has informed the potential developers that if they were unable to attend the public meeting, they could submit a written statement prior to the meeting for the Board's consideration.

Potential developers were also informed that if the resolution is adopted by the Board and the redevelopment of the Affected Parcels moves forward with another selected Master Developer, the Affected Parcels may be subject to acquisition by the Agency by purchase or eminent domain (condemnation) under the provisions of the Los Costanos Community Development Plan and that the Agency will exercise this right only as a last resort toward creating a project of greater community benefit. Staff also made it clear that, prior to even considering the potential for use of eminent domain, the Agency will obtain a fair market value appraisal of any property to be acquired and will make an offer to purchase based on that appraisal and that, as part of the effort to acquire any property, the Agency will offer to pay up to \$5000 for the owner's own appraisal of his or her property.

General Plan/Vision Statement

Distinctive Community Character

- Its small-town ambience sets it apart as a tranquil, safe and desirable place to live.

Natural Beauty

- Our natural surroundings inspire us to play, create, and contemplate.
- Our actions today preserve and enhance Belmont's beauty to make it even lovelier for our grandchildren.

Fiscal Impact

There is no fiscal impact at this time.

Public Contact

Affected property owners were issued notices 10 days in advance of meeting. The agenda was posted.

Recommendation

Adopt attached resolution regarding Assemblage of Parcels in the Los Costanos Community Project Area to be Developed by a Master Developer. Direct staff to issue a Request for Proposals for the selection of said Master Developer.

Alternatives

1. With direction, refer matter back to staff.
2. Take no action.

Attachments

- A. Resolution Regarding Assemblage of Parcels in the Los Costanos Community Project Area to be Developed by a Master Developer (Shoreway Place Project)
- B. Affected Parcels Map (Exhibit A)

Respectfully submitted,

Thomas Fil
Finance Director

Jack R. Crist
Executive Director

Staff Contact:

Thomas Fil, Finance Director
(650) 595-7433
tfil@belmont.gov

REDEVELOPMENT AGENCY RESOLUTION NO. _____

**RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF BELMONT
APPROVING ASSEMBLAGE OF PARCELS IN THE LOS COSTANOS COMMUNITY
PROJECT AREA TO BE DEVELOPED BY A MASTER DEVELOPER (SHOREWAY
PLACE PROJECT)**

WHEREAS, by Ordinance No. 692 adopted November 24, 1981, the City Council of the City of Belmont adopted the Los Costanos Community Development Plan (the "Plan"); and,

WHEREAS, by resolution No. R.A. 105 adopted May 28, 1991, the Belmont Redevelopment Agency (the "Agency") adopted the Amended and Restated Rules for Business Tenant Preference and Owner Participation in the Los Costanos Community Development Project Area (the "Rules") which superseded the Rules to Implement Preference to Dislocated Businesses and Owner Participants in the Los Costanos Community Development Project Area (the "Project Area") adopted by Resolution No. RA-9 on September 22, 1981; and,

WHEREAS, the Rules state that the Agency may determine, in its reasonable discretion, by resolution that it is in the best interest of the Project Area that several parcels be assembled and developed by a single developer (a "Master Developer") as a unified development; and,

WHEREAS, the Agency believes in its reasonable discretion that it is in the best interest of the Project Area to assemble the parcels identified on the map attached as Exhibit A (Shoreway Place Project) to this Resolution (the "Affected Parcels") as a unified development to be developed by a Master Developer for the reasons described in the Agency staff report submitted to the Agency in connection with the consideration of this resolution; and,

WHEREAS, pursuant to the Rules and state redevelopment law, the Agency provided the record owners of the Affected Parcels ten (10) days written notice of a hearing that was held on February 12, 2008 at which the owners were provided an opportunity to be heard by the Agency on the adoption of this resolution; and,

WHEREAS, pursuant to the Rules, the Agency shall notify the owners of the Affected Parcels of the adoption of this resolution and invite them to submit proposals to become the Master Developer; and,

WHEREAS, pursuant to the Rules, the Agency shall establish criteria for Master Developer selection which, in the Agency's reasonable determination, are appropriate to the size, scope, character and quality of the envisioned development and shall select a Master Developer accordingly. In reviewing proposals that meet the minimum standards established by the Agency, the Agency shall give such preferences as it deems appropriate under the circumstances to owners of the Affected Parcels. If, in the Agency's reasonable discretion, determines that no proposal meets the minimum standards for selection, the Agency may reject all proposals and take such actions as it deems appropriate to solicit additional proposals, modify its concept for

unified development of the Affected Parcels, or otherwise fulfill the objectives of the Amended Plan and these Rules for such parcels.

NOW, THEREFORE, BE IT RESOLVED that the Redevelopment Agency of the City of Belmont hereby determines in its reasonable discretion that it is in the best interest of the Project Area to assemble the Affected Parcels as a unified development to be developed by a Master Developer. The Agency hereby further resolves in passing this resolution that the procedural and substantive requirements of the Rules have been followed and will continue to be followed in selecting a Master Developer and developing the Affected Parcels.

BE IT FURTHER RESOLVED that the Agency staff is directed to prepare a request for proposals for redevelopment of the Affected Parcels and distribute the proposal to the owners of the Affected Parcels and such other persons or entities that staff deems appropriate as potential developers of the Affected Parcels. The request for proposals shall direct that proposals be submitted by March 31, 2008, provided that the Agency staff may extend the date for submission of proposals if the staff determines that an extension would be beneficial to the Agency.

BE IT FURTHER RESOLVED that, in reviewing and selecting among various proposals that are submitted in response to the request for proposals, the criteria that the Agency will consider shall include the experience of the prospective Master Developer and members of the Master Developer's team including architects, engineers, contractors, and leasing agents; the technical and professional expertise of the prospective Master Developer and members of the Master Developer's team including architects, engineers, contractors and leasing agents; the financial capacity of the prospective Master Developer to undertake the acquisition and development of the affected Parcels; the ability and experience of the proposed Master Developer to obtain equity and loan financing for the development of the Affected Parcels; the nature and quality of the development of the Affected Parcels that is proposed by the prospective Master Developer; the necessity for property acquisition to accomplish the development proposed by the prospective Master Developer; and the level of participation of the owners of the Affected Parcels in the Master Developer.

* * * * *

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the Redevelopment Agency of the City of Belmont at a regular meeting thereof held on February 12, 2008 by the following vote:

AYES, DIRECTORS: _____

NOES, DIRECTORS: _____

ABSTAIN, DIRECTORS: _____

ABSENT, DIRECTORS: _____

Secretary, Redevelopment Agency

APPROVED:

Chair, Redevelopment Agency