

AGENDA ITEM #:

DATE: August 31, 2020

CAR #: 2020-7050



## CITY COUNCIL ACTION REPORT

**SUBJECT:** Landscape Enhancement Agreement for W/C Bullard

**STAFF PRESENTER(S):** Christopher Baker, Development Services Director

**OTHER PRESENTER(S):** None

**Summary:** Approval of the Landscape Enhancement Agreement for W/C Bullard will allow the reimbursement of up to \$34,631.00 for the costs of the enhanced landscaping from plan review and permit fees collected for development within the Property. Also, approve an FY2021 budget transfer of \$34,700 from the Special General Fund Contingency for the associated reimbursement.

**Recommendation:**

ADOPT RESOLUTION NO. 2020-2094 APPROVING THE LANDSCAPE ENHANCEMENT AGREEMENT FOR W/C BULLARD; PROVIDING AUTHORIZATION AND DIRECTION TO TAKE ACTIONS AND EXECUTE DOCUMENTS NECESSARY TO CARRY OUT THE INTENT OF THE RESOLUTION AND DEVELOPMENT AGREEMENT AND PROVIDING FOR AN EFFECTIVE DATE AND APPROVE RELATED BUDGET TRANSFER.

**Fiscal Impact:** It is anticipated the unbudgeted reimbursement in this development agreement will occur in the current fiscal year. As shown in the following table, the one-time portion of the Special General Fund Contingency is the recommended source to fund this obligation. The balance of \$1,500,000.00 for the Bullard Avenue Enhanced Landscaping Project will be addressed in the mid-FY2021 budget update or included in the FY2022 budget process.

**FY2021 Special General Fund Contingency Summary**

	Ongoing	One-time	Total
Original Budget	\$ 1,776,200	\$ 15,284,700	\$ 17,060,900
Approved Uses on 7/13/2020	(41,000)	(963,500)	(1,004,500)
<i>This Request on 8/31/2020</i>	-	(34,700)	(34,700)
Remaining Budget	\$ 1,735,200	\$ 14,286,500	\$ 16,021,700

## **Background and Previous Actions**

Approximately 107 acres of property generally located at the southeast corner of Bullard Avenue and Van Buren Street was rezoned on February 23, 2004. The approved rezoning was from the General Industrial Park (I-2) District and General Commercial (C-2) District to the Light Industrial Park (I-1) District and the General Commercial (C-2). W/C Bullard Owner VIII, L.L.C. (“W/C Bullard”) owns approximately 43 acres of the 107.27 acres generally located south of the southeast corner of Van Buren Street and Bullard Avenue commonly known as “The Hub”.

## **Staff Analysis**

W/C Bullard Owner VIII, L.L.C. (“W/C Bullard”) owns approximately 43 acres of land generally located south of the southeast corner of Van Buren Street and Bullard Avenue commonly known as the “The Hub”. The Hub is the first development along the planned Bullard Avenue Corridor. The Bullard Avenue Corridor is an important employment corridor that has the potential to attract a mix of employers from the office, technology, and similar sophisticated and complex operations. This corridor is envisioned to be an upscale area within the City that added additional landscape amenities compared to other areas to reinforce the unique investment and attract similar uses. As part of the amenities developers will install certain enhanced landscaping that are a part of the approved landscape plan within the Bullard Avenue Corridor Design Treatment Strategies dated November 2018 prepared by Swaback Architects.

In return for installing the enhanced landscaping, the City will reimburse developers 50% of the difference between the cost to install the enhanced landscaping and the estimated cost to install the standard landscaping, however total reimbursements will be capped at \$165.43 per linear foot. The City’s projected reimbursement for the installation of the enhanced landscaping along the Bullard Avenue Corridor is approximately \$1,500,00.00.

The envisioned plan was to allow properties to rezone parcels within the Bullard Avenue Corridor subject to stipulations that required the additional landscape standards. However, the property on which The Hub is located was previously zoned as I-1 in 2004 and was not subject to similar rezoning stipulations for other parcels in the Bullard Avenue Corridor. The City approached W/C Bullard about the envisioned landscape plans for the Bullard Avenue Corridor and W/C Bullard agreed to have some of the enhanced landscaping installed. W/C Bullard cooperated with the City as best they could since their development plans were underway prior to the envisioned Bullard Corridor being established.

W/C Bullard agreed to make certain enhanced landscaping improvements that were part of the approved landscape plan within the Bullard Avenue Corridor Design Treatment Strategies. The expected costs of the enhanced landscape plan exceeded the abilities of W/C Bullard and the City negotiated a proposal whereby W/C Bullard will install enhanced landscaping improvements along the portion of the Bullard Avenue Corridor adjacent to their property, within their property and along the right-of-way. In return, the City shall reimburse plan review and permit fees collected for development within the property totaling fifty-percent (50%) of the difference between the actual costs incurred for the installed enhanced landscaping of the Bullard

Avenue Enhanced Landscaping and the Bullard Avenue Standard Landscaping Estimate subject to a maximum reimbursement of \$34,631.00.

Staff supports the proposed development agreement providing for installation of certain enhanced landscaping improvements because it supports the organized and enhanced development of the Bullard Avenue Corridor.

### **Attachments**

1. Resolution 2020-2076
2. Landscape Enhancement Agreement for W/C Bullard
  - Exhibit 1
  - Exhibit 2
  - Exhibit 3
  - Exhibit 4
  - Exhibit 5
  - Exhibit 6