



CITY OF SANTA BARBARA

REDEVELOPMENT AGENCY AGENDA REPORT

AGENDA DATE: November 18, 2008

TO: Chairperson and Board members

FROM: Housing and Redevelopment Division, Community Development Department

SUBJECT: Proposed Grant Of Easement From MHA Garden Street Apartments To Agency

RECOMMENDATION: That the Agency Board:

- A. Accept the real property described in the Grant of Easement and Agreement Thereon from MHA Garden Street Apartments, LP, to the Redevelopment Agency of the City of Santa Barbara, and authorize the Executive Director to execute a Certificate of Acceptance for attachment to the Easement authorizing its recordation in the Official Records of Santa Barbara County; and
- B. Authorize the Agency Executive Director to execute the Grant of Easement and Agreement Thereon in a form acceptable to Agency Counsel.

DISCUSSION:

Mental Health Association of Santa Barbara County (MHA) acquired the property at 617 Garden Street in 2001. In 2006, the adjacent 35-space surface parking lot for City employees was conveyed by the Agency to MHA Garden Street Apartments, LP (MHA), to facilitate construction of the Affordable Housing project. This project includes affordable housing for low income downtown workers and MHA clients that will be managed by the Housing Authority, as well as office and program space for MHA and subterranean and surface parking.

The Redevelopment Agency owns the property located at 631 Garden Street, the future home of the Community Arts Workshop (Workshop). MHA owns the adjacent property at 617 Garden Street.

In order to meet the Building Code requirement for building separation, and because the southern building of the Workshop is located very near the shared property line with the MHA, the Redevelopment Agency and MHA have agreed to the terms of an easement for the benefit of the Agency that will limit the right of MHA to build on a portion of its property generally encompassing 19.9-foot driveway into the MHA property. The granting of the easement will allow the Agency to maintain its existing building and two window openings on the south side as part of the future remodel of the facility as a Community Arts Workshop.

Additionally, the easement grants the Agency the right to rebuild a roof eave (previously removed to allow the MHA's contractor to shore up the sidewalls during excavation activities) which extends 40 inches over the property line onto the MHA Property.

A 2004 aerial photo (attached) shows the MHA site, Workshop site and the proposed easement area. Please note that the aerial photo pre-dates the start of construction on the MHA project.

ATTACHMENTS:

1. Certificate of Acceptance
2. 2004 Aerial View of SBMHA / Workshop Proposed Easement Area

PREPARED BY: David Gustafson, Assistant Community Development Director /
Housing & Redevelopment Agency Manager

SUBMITTED BY: Paul Casey, Community Development Director

APPROVED BY: City Administrator's Office

CERTIFICATE OF ACCEPTANCE NO. 08-____

This is to certify that the interest in real property conveyed by the GRANT OF EASEMENT AND AGREEMENT THEREON to the REDEVELOPMENT AGENCY OF THE CITY OF SANTA BARBARA, a governmental agency, is hereby accepted by the undersigned officer of the REDEVELOPMENT AGENCY OF THE CITY OF SANTA BARBARA pursuant to the authority conferred by the Board of Directors of the REDEVELOPMENT AGENCY OF THE CITY OF SANTA BARBARA and the grantees consent to recordation thereof by its duly authorized officer.

IN WITNESS WHEREOF, I have hereunto set my hand to this Certificate of Acceptance this 18th day of November, 2008.

REDEVELOPMENT AGENCY OF THE
CITY OF SANTA BARBARA

By _____
Jim Armstrong
Executive Director

MHA/Workshop Easement Area – 2004 Aerial Photo

