



Legislation Details (With Text)

File #: 21-047
Type: Consent Calendar **Status:** Passed
File created: 1/12/2021 **In control:** City Council/Public Financing Authority
On agenda: 2/16/2021 **Final action:** 2/16/2021
Title: Authorize execution of a License Agreement with C3 DLG 414 Main Street, LLC, for the 414 Main Street Mixed-Use Project located on the east side of Main Street between Orange Avenue and Pecan Avenue
Attachments: 1. Att#1 License Agreement

Date	Ver.	Action By	Action	Result
2/16/2021	1	City Council/Public Financing Authority	approved	Pass

REQUEST FOR CITY COUNCIL ACTION

SUBMITTED TO: Honorable Mayor and City Council Members

SUBMITTED BY: Oliver Chi, City Manager

PREPARED BY: Sean Crumby, Director of Public Works

Subject:

Authorize execution of a License Agreement with C3 DLG 414 Main Street, LLC, for the 414 Main Street Mixed-Use Project located on the east side of Main Street between Orange Avenue and Pecan Avenue

Statement of Issue:

A License Agreement between the City and C3 DLG 414 Main Street, LLC (owner/developer), for the installation and maintenance of improvements in the public right-of-way is presented for City Council approval and execution for the 414-424 Main Street mixed-use project located on the east side of Main Street, between Orange Avenue and Pecan Avenue.

Financial Impact:

No funding is required for this action.

Recommended Action:

Authorize the Mayor and City Clerk to execute and record the, "License Agreement between the City of Huntington Beach and C3 DLG 414 Main Street, LLC, to Provide Installation and Maintenance of Landscaping and Landscaping Improvements in the Public Right-of-Way," for the 414-424 Main Street mixed-use project (Attachment 1).

Alternative Action(s):

Do not authorize execution of the agreement, with findings for denial, and direct staff accordingly. Absent this agreement, the City would be responsible for construction and maintenance of the

improvements within the public right-of-way related to the subject project, which would result in increased future maintenance costs for the City. Additionally, without this Agreement, the developer would be unable to satisfy the project's Conditions of Approval.

Analysis:

The 414-424 Main Street mixed-use project is a four story; mixed-use development located on the east side of Main Street, between Orange Avenue and Pecan Avenue, and consists of 5,000 square feet of retail, 20 residential units (condos), and subterranean parking. The project's development requirements include the construction of and responsibilities for future maintenance of landscaping and hardscape improvements within the Main Street and public alley right-of-ways. To document this responsibility, the developer/owner is required to execute the appropriate landscape maintenance license agreement for all landscaping, irrigation, street furniture, and enhanced hardscape that encroaches into the aforementioned City right-of-ways. In addition to landscaping and irrigation, the agreement also addresses enhanced sidewalk cleaning, trash cans, disposal of trash, signs, tree replacement, and all other aspects of maintenance for these areas, and that property ownership shall be responsible for all costs associated with this maintenance, repair, replacement, and liability.

Public Works Commission Action:

Not applicable for this request.

Environmental Status:

The agreement is categorically exempt from the California Environmental Quality Act, pursuant to City Council Resolution No. 4501.

Strategic Plan Goal:

Enhance and maintain infrastructure

Attachment(s):

1. License Agreement between the City of Huntington Beach and C3 DLG 414 Main Street, LLC to Provide Installation and Maintenance of Landscaping and Landscaping Improvements in the Public Right-of-Way