



# TOWN OF PARADISE

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## **The Oversight Board of the Successor Agency to the Paradise Redevelopment Agency Special Meeting Agenda**

**3:30 PM – December 05, 2013**

The Oversight Board holds its meetings in the Town Council Chambers at Town Hall, located at 5555 Skyway, Paradise, California, 95969. In accordance with the Americans with Disabilities Act, if you need a special accommodation to participate, please contact the Town Clerk's Department at 872-6291 Extension 101 at least 48 hours in advance of the meeting. Hearing assistance devices for the hearing impaired are available from the Town Clerk. Members of the public may address the Oversight Board on any agenda item, including closed session. If you wish to address the Oversight Board on any matter on the Agenda, it is requested that you complete a request card and give it to the Town Clerk prior to the beginning of the Oversight Board Meeting. All writings or documents which are related to any item on an open session agenda and which are distributed to a majority of the Oversight Board will be available for public inspection at the Town Hall in the Town Clerk Department at 5555 Skyway, Room 3, at the same time the subject writing or document is distributed to a majority of the subject body. Regular business hours are Monday through Thursday from 8:00 a.m. to 5:00 p.m.

### **1. OPENING**

- a. Call to Order
- b. Pledge of Allegiance to the Flag of the United States of America
- c. Roll call

### **2. ITEMS FOR CONSIDERATION - ACTION CALENDAR**

- a. Consider adopting Resolution No. 13-06, A Resolution of the Oversight Board to the Successor Agency to the Paradise Redevelopment Agency, Approving the Amended Long Range Property Management Plan of the Successor Agency to the Paradise Redevelopment Agency Pursuant to Health and Safety Code Section 34191.5. **(ROLL CALL VOTE)**

- b. Consider adopting Resolution No. 13-07, A Resolution of the Oversight Board to the Successor Agency of the Paradise Redevelopment Agency, Conditionally Authorizing the Oversight Board Chairman and His Designees to Approve Any Documents Related to the Lot Line Adjustment of 5456 Black Olive Drive, Paradise APN 052-223-027. **(ROLL CALL VOTE)**

### **3. ADJOURNMENT**

STATE OF CALIFORNIA ) COUNTY OF BUTTE )	SS.
I declare under penalty of perjury that I am employed by the Town of Paradise in the Town Clerk's Department and that I posted this Agenda on the bulletin Board both inside and outside of Town Hall on the following date:	
<hr/>	
TOWN/ASSISTANT TOWN CLERK SIGNATURE	



**Oversight Board of the  
Successor Agency to the Paradise  
Redevelopment Agency**

**Agenda Item: 2a**

**Agenda Summary  
Date: December 5, 2013**

**Originated by:** Dwight Moore, Town Attorney  
Gina S. Will, Finance Director/Town Treasurer

**Reviewed by:** Lauren M. Gill, Town Manager

**Subject:** Approval of Amended Long-Range Property Management Plan

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**Action Requested:** Adopt a Resolution of the Oversight Board of the Successor Agency of the Paradise Redevelopment Agency approving the Amended Long-Range Property Management Plan; or

**Alternatives:** Decline to adopt the resolution and give alternative direction to staff.

**Discussion:**

On April 26, 2013, the Department of Finance sent a Finding of Completion letter to the Town of Paradise indicating that the Town as Successor Agency of the Paradise Redevelopment Agency has complied with all requirements of the Housing and Non-Housing Due Diligence Reviews. In addition, the Successor Agency submitted a Long-Range Property Management Plan (LRPMP) to the Department of Finance on June 26, 2013.

On October 16, 2013, the Department of Finance informed the Town Finance Director that the LRPMP needs to provide for a compensation agreement with the other taxing entities relating to payments to them in proportion to their share of the base property tax for the value of 5456 Black Olive Drive Property. Based on conversations with Department of Finance personnel, the Successor Agency has approved an Amended LRPMP, which includes the following language regarding the property at 5456 Black Olive Drive, Paradise:

“Upon the sale of the property to a developer, the net proceeds, after satisfaction of all encumbrances on the property, will be provided to the Butte County Auditor-Controller for distribution to the other taxing entities in proportion to their share of the base property tax pursuant to Health and Safety Code section 34180(f)”.

**Fiscal Impact Analysis:**

Approval of this resolution will have no immediate fiscal impact.



October 16, 2013

Ms. Gina S. Will, Finance Director  
Town of Paradise  
5555 Skyway  
Paradise, CA 95969

Dear Ms. Will:

Subject: Long-Range Property Management Plan

Pursuant to Health and Safety Code (HSC) section 34191.5 (b), the Town of Paradise Successor Agency (Agency) submitted a Long-Range Property Management Plan (LRPMP) to the California Department of Finance (Finance) on June 26, 2013. Finance has completed its review of the LRPMP, which may have included obtaining clarification for various items.

HSC section 34191.5 defines the requirements of the LRPMP. Based on our review and application of the law, the Agency's LRPMP is not approved as follows:

- The Agency is planning to transfer the property located at 5456 Black Olive Drive to the Town of Paradise for future development; however, the LRPMP and Oversight Board action does not include or make a reference to a compensation agreement. HSC section 34180 (f) states that if the sponsoring entity wishes to retain any properties for future development activities, funded from its own funds and under its own auspices, then it must reach a compensation agreement with the other taxing entities to provide payments to them in proportion to their share of the base property tax for the value of the property retained.

As authorized by HSC section 34191.5 (b), Finance is not approving the LRPMP. The Dissolution Act does not allow a meet and confer for Finance's review of the LRPMP. Therefore, the Agency should revise the LRPMP to address the issues noted above and resubmit an OB approved revised LRPMP to Finance for approval.

Please direct inquiries to Beliz Chappuie, Supervisor, or Anna Kyumba, Lead Analyst at (916) 445-1546.

Sincerely,



Justyn Howard  
Assistant Program Budget Manager

cc: Ms. Lauren Gill, Assistant Town Manager, Town of Paradise  
Ms. Maria Solis, Auditor-Accountant, Butte County Auditor-Controller  
California State Controller's Office

**OVERSIGHT BOARD OF THE SUCCESSOR AGENCY  
TO THE PARADISE REDEVELOPMENT AGENCY  
RESOLUTION NO. 13-06**

**A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY  
TO THE PARADISE REDEVELOPMENT AGENCY APPROVING  
THE AMENDED LONG-RANGE PROPERTY MANAGEMENT PLAN OF THE  
SUCCESSOR AGENCY OF THE PARADISE REDEVELOPMENT AGENCY**

WHEREAS, on April 26, 2013, the California Department of Finance addressed a Finding of Completion letter to Gina Will, the Town of Paradise Finance Director concerning the Due Diligence Review of the Successor Agency of the Paradise Redevelopment Agency (Successor Agency); and

WHEREAS, Health and Safety Code section 34191.5(b) states as follows:

“The successor agency shall prepare a long-range property management plan that addresses the disposition and use of the real properties of the former redevelopment agency. The report shall be submitted to the oversight board and the Department of Finance for approval no later than six months following the issuance to the successor agency of the finding of completion.”; and

WHEREAS, on June 20, 2013, the Oversight Board adopted Resolution 13-03 which approved the Successor Agency Long-Range Property Management Plan (LRPMP); and

WHEREAS, on October 16, 2013, the Department of Finance informed the Town Finance Director that the LRPMP needs to provide for a compensation agreement with the other taxing entities relating to payments to them in proportion to their share of the base property tax for the value of 5456 Black Olive Drive, Paradise; and

WHEREAS, based on conversations with Department of Finance personnel, the Successor Agency has approved an Amended LRPMP, which includes the following language regarding the property at 5456 Black Olive Drive, Paradise:

“Upon the sale of the property to a developer, the net proceeds, after satisfaction of all encumbrances on the property, will be provided to the Butte County Auditor-Controller for distribution to the other taxing entities in proportion to their share of the base property tax pursuant to Health and Safety Code section 34180(f)”.

**NOW, THEREFORE, BE IT RESOLVED BY THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE PARADISE REDEVELOPMENT AGENCY AS FOLLOWS:**

Section 1. Pursuant to Health and Safety Code section 34191.5(b), the Oversight Board approves the Amended Long-Range Property Management Plan of the Successor Agency to the Paradise Redevelopment Agency. A copy of the revised LRPMP is attached as Exhibit A.

PASSED AND ADOPTED by the Oversight Board of the Successor Agency to the Paradise  
Redevelopment Agency on this 5th day of December, 2013, by the following vote:

AYES;

NOES:

ABSENT:

NOT VOTING:

By: \_\_\_\_\_  
Steve "Woody" Culleton, Chairperson

ATTEST:

\_\_\_\_\_  
Joanna Gutierrez, CMC

## EXHIBIT A

## **LONG RANGE PROPERTY MANAGEMENT PLAN SUCCESSOR AGENCY TO THE FORMER PARADISE REDEVELOPMENT AGENCY**

### **INTRODUCTION**

In June of 2012, Governor Brown signed AB 1484, a budget trailer bill into law that made substantial changes to the redevelopment agency dissolution process implemented by AB 1X 26. One major component of this bill required all successor agencies to develop a long-range property management plan that governs the disposition and use of the former redevelopment agency property. This summary is the Long-Range Property Management Plan for the Successor Agency of the Paradise Redevelopment Agency (Successor Agency).

California Government Code Section 34181 (a) which states that all successor agency actions to transfer ownership of those assets that were constructed used for governmental purposes such as roads, school buildings, parks, police and fire stations, libraries, and local agency administrative buildings, to the appropriate public jurisdiction pursuant to any existing agreement relating to construction or use of such asset shall go to the Oversight Board for approval.

### **SUMMARY OF THE PROPERTIES OWNED BY THE SUCCESSOR AGENCY**

There are three (3) properties owned and controlled by the Successor Agency. They include the following:

1. 786-794 Birch Street, a 6,098 sq. ft. parcel used as parking for the Community Park. The property is next the Police Department and serves as a public parking lot for the Community Park which is across the street.
2. 176 Pearson Road, a 8,276 sq. ft. parcel used as a public park and ride facility.
3. 5456 Black Olive Drive, a 11,325 sq. ft. parcel slated for demolition and future commercial development. In its current condition, the building would require considerable resources to make it a viable option for a growing business.

These properties are described in greater detail in the “Inventory” section below and are shown in Attachment A.

### **HISTORY OF PREVIOUS DEVELOPMENT PROPOSALS AND ACTIVITIES**

All of the properties included in the Successor Agency’s inventory have been acquired in an effort to redevelop and revitalize a portion of the Town’s downtown area.



**Parcel #1  
786-794 Birch  
Street**



**Date of acquisition and its value at that time, and an estimate of current value.**

This property was acquired on October 24, 2003 for \$57,000. The property is located in a zoned central business area and is located across the street from the Community Park and the Police and Fire Stations. Based on comparable vacant properties in Town, Successor Agency staff has estimated this property would appraise around \$50,000.

**The purpose for which the property was acquired.**

This property, along with several other properties, was purchased as part of the Community Park. The strip parking adjacent to the park does not have sufficient parking when events are held at the park. The parcel's additional parking is a necessary feature if the park is to be a successful venue for community and private events.

**Parcel data for each property, including address, lot size and current zoning.**

The property address is 786 Birch Street. The assessor parcel number is 052-222-015. The lot size is 6,098.40 sq. ft. The property is used as a public, unimproved parking lot for the adjacent Community Park. The current zoning is Central Business.

**An estimate of the current value of the parcel, including any appraisal information, if available.**

The property was appraised for \$57,000 on September 15, 2003. The property has not been appraised since this date and based on comparisons of vacant property within the Town, it's estimated the property is valued around \$50,000.

**An estimate of any lease, rental or other revenues generated by the property and a description of the contractual requirements for disposition of those revenues.**

The parcel has never been leased and there have never been any revenue generated for its use. It is currently used as public, unimproved, un-metered parking lot and will continue to be used that way in the future.

**Any history of environmental contamination or remediation efforts.**

There is no known history of environmental contamination on this site. A phase one environmental review was performed on September 2, 2003, which did not reveal any issues of concern.

**A description of the property's potential for transit-oriented development and the advancement of the planning objectives.**

This parcel is located near transit stops, including the Town's park and ride facility on Pearson.

**A brief history of previous development proposals and activities, including the rental or lease of property.**

This property has never been rented or leased. The Town has never received income from this property.

**Parcel #2  
176 Pearson Road**





**Date of acquisition and its value at that time, and an estimate of current value.**

This property was acquired on November 2, 2004 for \$75,000. The property is located in a community commercial zone with inadequate parking. The parcel is located behind commercial businesses and is situated near the Community Park. Based on comparable vacant properties in Town, Successor Agency staff has estimated this property would appraise around \$50,000.

**The purpose for which the property was acquired.**

This property was purchased with the intent of using the parcel for a park and ride facility. The completed project added safe and secure parking in the downtown area in order to allow motorists to either carpool or use transit services to access employment and shopping opportunities outside the Town of Paradise. The location is close to transit services, the main downtown area as well as close to the major highway corridor (Pearson Road).

**Parcel data for each property, including address, lot size and current zoning.**

The property address is 176 Pearson Road. The assessor parcel number is 052-225-019. The lot size is 8,276.40 sq. ft. The property is used as park and ride facility with 10 parking stalls, one which is a handicap stall. The current zoning is Central Business.

**An estimate of the current value of the parcel, including any appraisal information, if available.**

The property was appraised for \$140,000 on October 13, 2004. There are no comparables to the parcel as it's currently being utilized as a public park and ride facility. The property has not been appraised since this date and based on comparisons of vacant property within the Town, it's estimated the property is valued around \$50,000.

**An estimate of any lease, rental or other revenues generated by the property and a description of the contractual requirements for disposition of those revenues.**

The parcel has never been leased and there has never been any revenue generated for its use. It is currently used as a public park and ride facility and will continue to be used that way in the future.

**Any history of environmental contamination or remediation efforts.**

There is no known history of environmental contamination on this site. The project was determined to be categorically exempt from NEPA and was reviewed by the Town's Planning Director in 2010.

**A description of the property's potential for transit-oriented development and the advancement of the planning objectives.**

The parcel is located 500 feet to the transit hub at Birch and Almond Streets. The completed project added safe and secure parking in the downtown area in order to allow motorists to either carpool or use transit services to access employment and shopping opportunities outside the Town of Paradise. The location is close to transit services, the main downtown area as well as close to the major highway corridor (Pearson Road). The project goal was to help reduce the number of single-occupant vehicle travel to surrounding communities, to reduce automobile emissions, and also to improve inadequate parking.

**A brief history of previous development proposals and activities, including the rental or lease of property.**

The parcel remained underdeveloped until the Town improved it as a park and ride facility in 2010 and completed in 2011.



Parcel #3  
5456 Black Olive Drive





**Date of acquisition and its value at that time, and an estimate of current value.**

This property was acquired on June 1, 2004 for \$150,000. Based on comparable properties in Town, Successor Agency staff has estimated this property would appraise for approximately \$100,000.

**The purpose for which the property was acquired.**

The goal of purchasing this property was to eliminate blighted conditions in the Town and to

encourage the conversion of obsolete or underutilized land uses to more economically efficient uses. More specifically, this lot has a septic easement with an adjacent privately-owned lot, which needs to be repaired so the adjacent lot can be made legal. At current standing, the adjacent lot cannot be sold or developed because it has an inadequate or illegal septic easement. The RDA was planning on deeding the septic easement to the adjacent land owner in order to fix an otherwise irreparable land situation.

In 2009, this property was in the RDA's Implementation Plan set for demolition and future commercial development—not only to fix the adjacent lot issues, but also to demolish the severely dilapidated building that currently exists on the property. As it stands, the current building is unusable for commercial business and is therefore leased at considerate discount to a non-profit organization. The building would require considerable resources to make it a viable option for any commercial business activity. By demolition of the building, and construction of a commercial building, the Town could improve the physical and aesthetic quality and appearance of Downtown area and also correct many health and safety code related issues that currently exist. By allowing a local business to purchase the property and rebuild a commercial building, the Town would be supporting and expanding the economic base of Paradise.

**Parcel data for each property, including address, lot size and current zoning.**

The property address is 5456 Black Olive Dr. The assessor parcel number is 052-223-027. The lot size is 11,325.60 sq. ft. The property has one 3,350 sq. ft. building split with one side 1,700 sq. ft and the other 1,650 sq. ft. The current zoning is central business.

**An estimate of the current value of the parcel, including any appraisal information, if available.**

The property was appraised on December 5, 2003 for \$200,000. There is a local non-profit organization that leases one side of the building for its non-profit headquarters. The non-profit has one annual community event which is why the building can be used at all. The rent is \$1.00/year. The property has not been appraised recently because the RDA had plans to demolish the property and build a commercial building. Based on comparable properties in Town, Successor Agency staff has estimated this property would appraise for approximately \$100,000.

**An estimate of any lease, rental or other revenues generated by the property and a description of the contractual requirements for disposition of those revenues.**

The building only generates \$1.00/year and the contract is month-to-month. Before the current contract lease, the building was occupied by a wood-working business and that contract was \$ .40 per square foot per month.

There is a note pending on the ROPS with a payoff amount of about \$82,638. This indebtedness would be assumed by the Town of Paradise upon transfer of the property.

**Any history of environmental contamination or remediation efforts.**



There is no known history of environmental contamination on this site.

**A description of the property's potential for transit-oriented development and the advancement of the planning objectives.**

This parcel is located near transit stops, including the park and ride facility. The parcel is also located in the Town's downtown commercial area where other retail establishments are located. The plan to keep this parcel for demolition and future development will be critical for assisting businesses in the Downtown.

**A brief history of previous development proposals and activities, including the rental or lease of property.**

The property was purchased and one portion was used as a wood-working shop for a low-income business owner. The Town leased the space to the business owner and during that time, the tenant was renting one portion of the building for \$.40 a square foot/month. This lease ended and the City then rented out the other space to a non-profit organization who leases the space to organize for their annual event. The lease is \$1.00/year.

**USE OR DISPOSITION OF PROPERTIES**

Section 34191.5(c)(2) of the Health and Safety Code requires that Successor Agencies address the use or disposition of all properties in the Community Redevelopment Trust Fund. The properties can be retained for governmental use, retained for future development, sold, or used to fulfill an enforceable obligation. The legislation goes on to state the following:

- *The plan should separately identify and list properties dedicated to governmental uses purposes and properties retained for purposes of fulfilling an enforceable obligation.*
- *Property intended to be used for a project identified in an approved redevelopment plan will be transferred to the host city or county.*
- *If the successor agency plans to liquidate the property or use the revenues from the property for any purpose other than fulfilling an enforceable obligation or a contemplated redevelopment project, the proceeds from the sale shall be distributed as property tax to the taxing entities.*

As stated above, the Paradise Successor Agency is requesting transfer of all three properties to the Town of Paradise, as allowed under bullet point #2, above. All three properties were listed in the Town's 2008-2013 Five year implementation plan and as explained below, have, and continue to serve their intended purposes.

- The Birch Street location was and still is used in conjunction with the community park as a public parking lot. This parcel is used for governmental purposes and should be transferred to the Town to remain a parking area. Planned improvements to the parcel include: improving traffic circulation, allowing for a walkable community, supporting transportation hubs and improving circulation in the Downtown area.
- The newly developed Park & Ride facility on the Person Road parcel provides improved infrastructure for both pedestrian and automobile uses. The development of the park and



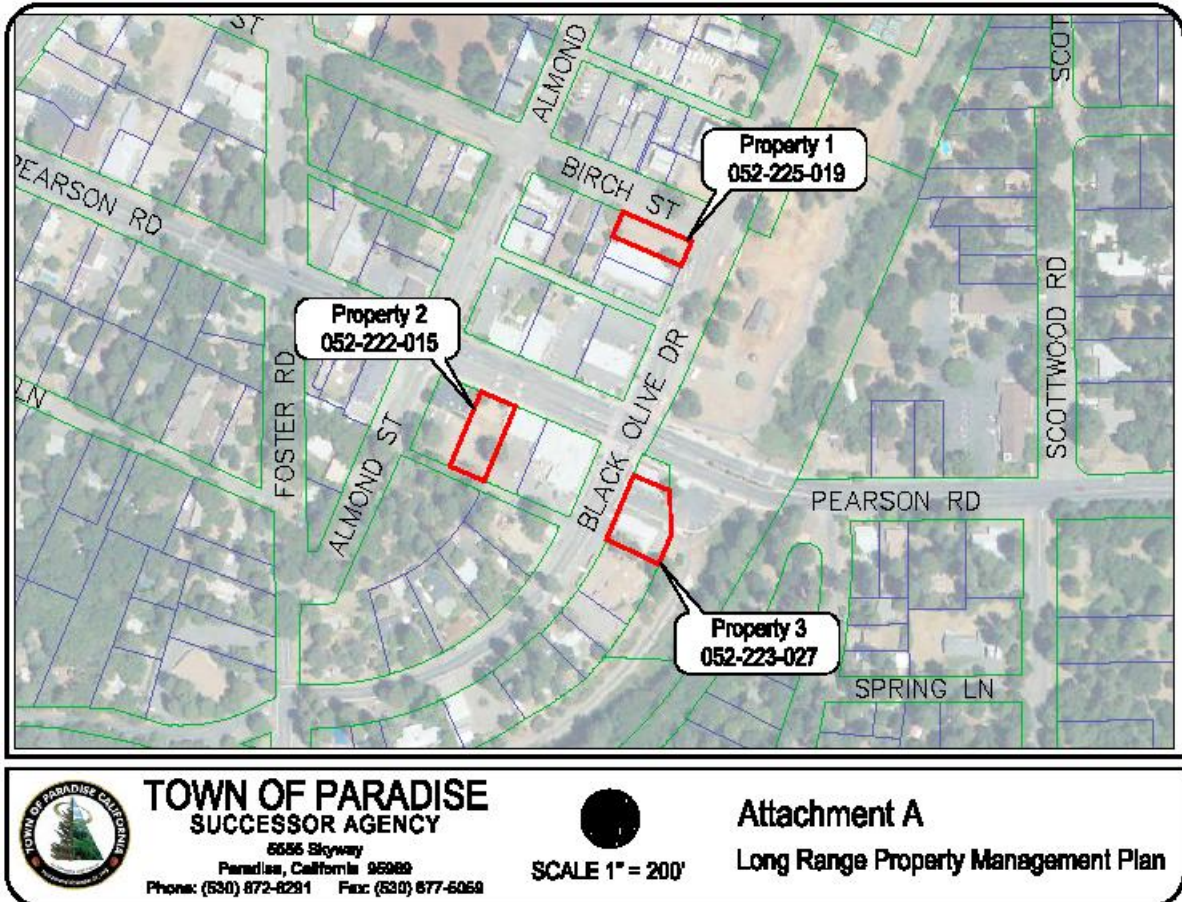
ride facility has helped to provide adequate parking in the downtown area. This parcel should also be transferred to the Town and remain a park and ride facility.

- The Black Olive property was acquired to eliminate existing blight in the project area and provide a space for a commercial business. The property was listed to be demolished in the 2008-2013 redevelopment five-year plan and used for future commercial development. The Redevelopment Agency lacked resources to demolish the building in the past, but with the Town taking over ownership, CDBG funds could be used to demolish and assist with future development. Upon the sale of the property to a developer, the net proceeds, after satisfaction of all encumbrances on the property, will be provided to the Butte County Auditor-Controller for distribution to the other taxing entities in proportion to their share of the base property tax pursuant to Health and Safety Code section 34180(f).

#### **Attachments**

- A. Ariel Photo of Agency Properties
- B. Paradise Redevelopment Agency Five Year Implementation Plan (Excepts showing use of properties)

ATTACHMENT "A"



## Additional Downtown Public Parking Improvements serving Town Civic Center and Community Park

### Proposed Projects—Plan Year 2008-2013

This plan envisions multiple new small (10-20 spaces) parking facilities in the Downtown area. Additional parking is needed on the Pearson Road Corridor, near Almond, Birch Street, near the Paradise Community Park, in the core of the Downtown (near Almond/Fir Street) and along Skyway, near Foster and Fir Streets.

Pearson Road entrance to new proposed Park and Ride facility, to be constructed in 2009/2010. This project is funded through a Congestion Mitigation Air Quality (CMAQ) grant.

*Goals/Objects met: Improve walkable communities and transportation hubs, and improve traffic circulation and provide adequate parking facilities in the Project Area.*





# Frontage Improvements—790 Birch Street Property/Private Commercial Development

Proposed Projects—Plan Year 2008-2013



Looking west on Birch Street from Black Olive. Parcel is currently used as a “de-facto” parking lot, even though it is not



Black Olive Drive, looking south along property frontage. Notice the lack of pedestrian amenities, curb ramps, sidewalks,

This is a RDA owned property, was purchased to allow the removal of hazardous, dilapidated buildings, and to insure that future business's at that location would be appropriate for it's location (across the street from the proposed new Town Civic Center).

Frontage improvements have been designed, and will be constructed once the necessary level of RDA funding is in place.

*Goals/Objects met: Improve traffic circulation and walkable communities; Improve the physical and aesthetic quality and appearance; Eliminate existing blighting conditions and influences, including incompatible or un-economic land uses, and deteriorated public facilities; Provide opportunities for participation by owners in the RDA Project Area; Improve the infrastructure that supports the Project Area.*

# Demolition/Sale for private commercial development

## Jeffords Building

Proposed Projects—Plan Year 2008-2013

Town will demolish current building.

*Goals/Objects met: Eliminate blighted conditions; Encourage conversion of obsolete or underutilized land uses to more economically efficient uses; Improve the physical and aesthetic quality and appearance of the entire Project Area; Strengthen and expand the economic base in the Project Area.*







**Oversight Board of the  
Successor Agency to the Paradise  
Redevelopment Agency**

**Agenda Item: 2b**

**Agenda Summary  
Date: December 5, 2013**

**Originated by:** Craig Baker, Community Development Director  
Gina S. Will, Finance Director/Town Treasurer

**Reviewed by:** Lauren Gill, Town Manager

**Subject:** Lot Line Adjustment for 5456 Black Olive Drive

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**Action Requested:** Adopt a Resolution of the Oversight Board to the Successor Agency of the Paradise Redevelopment Agency, Conditionally Authorizing the Oversight Board Chairman and His Designees to Approve Any Documents Related to the Lot Line Adjustment of 5456 Black Olive Drive, Paradise APN 052-223-027; or

**Alternatives:** Decline to adopt the resolution as presented.

**Background:**

The downtown Paradise area in the vicinity of Black Olive Drive and Pearson Road was originally surveyed in the early 1900's. This survey was approved by the County Board of Supervisors on March 10, 1904 and recorded in Book 4 of Maps, at Page 7.

In May, 1942, D.A. Blackburn, prepared a map titled "Map of Woodside Subdivision". This Subdivision further divided the area east of Black Olive Drive. This subdivision was filed for record in Book 14 of Maps at Page 25.

In April, 2006, the Town of Paradise retained L & L surveying to perform a Record of Survey of the area, as part of the land acquisition for the Town of Paradise Community Park and the Memorial Trail way Infill Project. This record of survey identified a potential conflict between the two previous subdivision actions, and indicated that lot 12 of the Woodside Subdivision actually encroaches about 14 feet into the right of way of Pearson Road. This Record of Survey was recorded on December 5<sup>th</sup>, 2006, in Book 169 of Maps at Pages 73 and 74.

The parcels proposed to be adjusted are as follows:

<b>APN</b>	<b>Owner of Record</b>	<b>Address</b>
052-223-016	Walter Newman and Mica Gilkey Trust	220 Pearson Road
052-223-027	Paradise Redevelopment Agency	5456 Black Olive Drive

Largely as a result of these conflicting surveys, the property lines for APN 052-223-016 currently run through the existing building at 220 Pearson, and extends into what should be the right of way for Pearson Road. The current landowner of 220 Pearson Road (Gilkey) proposes to grant to the Town of Paradise the 653 square feet of area within the Pearson Road "right of way". In return, the Successor Agency to the Paradise Redevelopment Agency would grant 1,000 square feet to Gilkey. When recorded this

proposed lot line adjustment (LLA) will improve the value of both parcels, as it eliminates an obvious nonconforming encroachment and it eliminates a potential right of way issue in Pearson Road.

This proposed LLA was brought before the Paradise Planning Commission November 13, 2013 and Resolution 13-06 was adopted in order to facilitate the changes.

### **Discussion:**

The stated purpose of the LLA is to create resultant lot lines that do not bisect the Gilkey commercial building and deed additional Pearson Road right-of-way to the Town. Normally, these types of "land swaps" would be handled through a standard LLA, processed administratively by the Town Engineer. This particular application is more complicated, since one of the parcels is privately owned and one is owned by the Successor Agency to the Paradise Redevelopment Agency (Agency).

Once the Town Council has granted approval of the necessary General Plan amendment/rezone, formal agreements will be drafted between the Agency and Gilkey.

The second major issue involving the proposed LLA is that its original design was in conflict with the Town's zoning regulations. The Gilkey and the Agency parcels lie within the Central Business (CB) zoning district. The proposed LLA would reduce the size of the RDA parcel to 0.23 acre, which is less than the 0.25 acre minimum parcel size required in the CB zone. In other words, the Agency parcel cannot be reduced to less than 0.25 of an acre. It should be noted that, since it predates the zoning ordinance, the legal nonconforming (+/-0.059 acre) size of the Gilkey parcel is not an obstacle to recording the LLA, as long as its resultant parcel size is no less than its current size.

The solution that has been proposed via the submittal of a revised LLA plat is to configure the Gilkey parcel as previously proposed and enlarge the Agency parcel to include all of the public parking facility to the toe of the fill slope on its east and south sides. This solution solves the zoning issues, but requires the filing of a General Plan amendment/rezone application to change the General Plan land use designation and zoning for a +/-0.24 acre land area currently designated and zoned CS to CC (Central Commercial) and CB, respectively.

Upon approval of the Long-Range Property Management Plan, the Successor Agency will need to implement the LLA through deeds.

### **Fiscal Impact Analysis:**

Approval of the resolution will allow the proposed LLA to be submitted to the Department of Finance for review and approval. Once the lot lines are actually adjusted the value of both properties will be improved as it removes an obstacle for future sale or development of the properties.

**OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF THE  
PARADISE REDEVELOPMENT AGENCY  
RESOLUTION NO. 13-07**

**A RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF  
THE PARADISE REDEVELOPMENT AGENCY, CONDITIONALLY AUTHORIZING  
THE OVERSIGHT BOARD CHAIRMAN AND HIS DESIGNEES TO APPROVE ANY  
DOCUMENTS RELATED TO THE LOT LINE OF ADJUSTMENT OF 5456 BLACK  
OLIVE DRIVE, PARADISE, APN 052-223-027**

WHEREAS, as authorized by applicable law, the Town of Paradise has elected to serve as the Successor Agency to the former Paradise Redevelopment Agency; and

WHEREAS, 5456 Black Olive Drive, Paradise APN 052-223-027 shows the Paradise Redevelopment Agency to be the owner of record; and;

WHEREAS, there exists on the Property a lot line encroachment issue wherein 1,020 feet of the surveyed lot line runs through the adjacent property of 220 Pearson Road, Paradise APN 052-223-016; and

WHEREAS, it is in the best interests of effected taxing entities, the Successor Agency to the Paradise Redevelopment Agency and the owner of 220 Pearson Road to correct the lot line; and

WHEREAS, the proposed lot line adjustment has been conditionally approved by the Successor Agency, the Oversight Board and reviewed and approved by the State of Finance before the adjustment can occur; and

WHEREAS; the Oversight Board has received reviewed and considered all written and oral staff reports regarding the lot line adjustment at a duly noticed public meeting held on December 5, 2013.

NOW, THEREFORE, BE IT RESOLVED BY THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF THE PARADISE REDEVELOPMENT AGENCY AS FOLLOWS:

Section 1. Upon approval of the Long-Range Property Management Plan by the Department of Finance, the proposed lot line adjustment between 5456 Black Olive Drive, Paradise and 200 Pearson Road, Paradise is hereby approved.

Section 2. The Chairman of the Oversight Board to the Successor Agency of the Paradise Redevelopment Agency and/or his designee is authorized to approve any documents needed to implement the above referenced lot line adjustment.

PASSED AND ADOPTED by the Oversight Board of the Successor Agency on this 5th day of December, 2013, by the following vote:



AYES:

NOES:

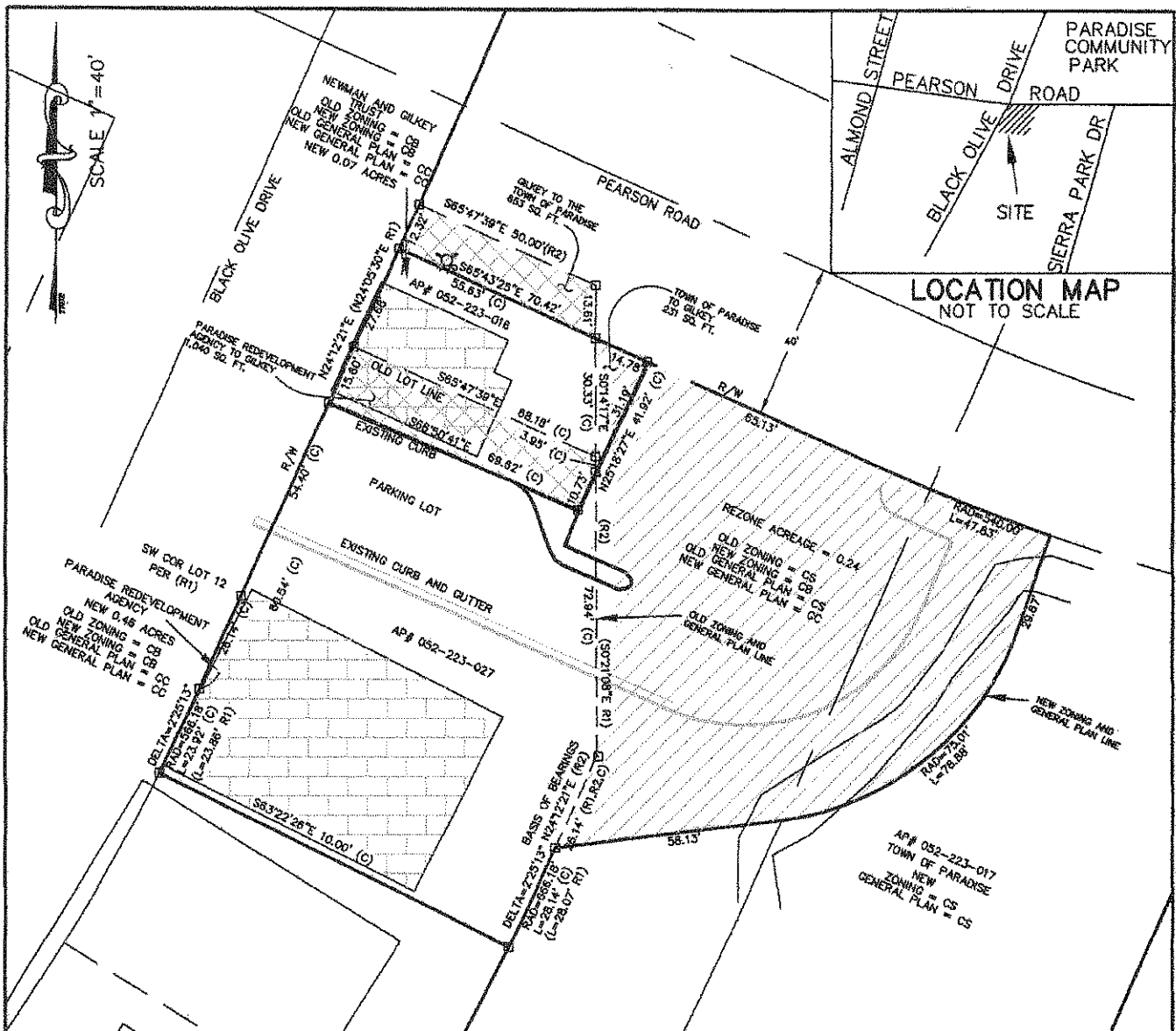
ABSENT:

ABSTAIN:

By: \_\_\_\_\_  
Steve "Woody" Culleton, Chairman, Oversight Board

ATTEST:

\_\_\_\_\_  
Joanna Gutierrez, CMC  
Secretary, Oversight Board



# **LEGEND**

- INDICATES CALCULATED POSITION
- (C) INDICATES CALCULATED ONLY
- (R1) INDICATES RECORD PER BOOK 14, MAPS, PG 24-25
- (R2) INDICATES RECORD PER BOOK 169, MAPS, PG 73-74
- GENERAL PLAN AMENDMENT & REZONE AREA
- EXISTING BUILDINGS
- PROPERTIES TO BE EXCHANGED
- FIRE HYDRANT

## **GENERAL PLAN AMENDMENT REZONE & LOT LINE ADJUSTMENT PLAT FOR GILKEY / TOWN OF PARADISE**

Town of Paradise      Butte County      California



**L & L SURVEYING**

1007 BILLE ROAD PO BOX 671 PARADISE, CA 95967 (530)877-4300