

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

619



FROM: Economic Development Agency

SUBMITTAL DATE:
May 29, 2008

SUBJECT: Finding of No Significant Impact (FONSI) for the Vineyards at Menifee Apartments

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt the attached Environmental Assessment Report and FONSI for the Vineyards at Menifee Apartments ("Project") based on the findings incorporated in the report and conclude that the Project is not an action which may effect the quality of the environment;
2. Approve the attached Request for Release of Funds; and
3. Authorize the Chairman of the Board of Supervisors to execute the Request for Release of Funds and Environmental Assessment Report to be filed with the United States Department of Housing and Urban Development (HUD).

BACKGROUND: The environmental effects of activities carried out with HOME Investment Partnerships Act grant funds must be assessed in accordance with the provisions of the National Environmental Policy Act of 1969 (NEPA) and the related authorities listed in HUD's implementing regulations at 24 CFR parts 50 and 58. These regulations specify procedures for conducting environmental review, including finding a level of clearance and requesting release of funds.

(Continued on page 2)

RZ:DL:ER:TF:JG

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Robin Zimpfer
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Assistant County Executive Officer/EDA

FINANCIAL DATA

Current F.Y. Total Cost: \$ 750,000
Current F.Y. Net County Cost: \$ 0
Annual Net County Cost: \$ 0

In Current Year Budget: YES
Budget Adjustment: NO
For Fiscal Year: 2007/2008

COMPANION ITEM ON BOARD OF DIRECTORS AGENDA: NO

SOURCE OF FUNDS: HOME Investment Partnerships Act Grant Funds

Positions To Be Deleted Per A-30
Requires 4/5 Vote

C.E.O. RECOMMENDATION: APPROVE

Jennifer L. Sargent
BY: Jennifer L. Sargent

County Executive Office Signature Jennifer L. Sargent

FORM APPROVED COUNTY COUNSEL
BY: *Michelle Clack*
MICHELLE CLACK
DATE: 5/29/08
Departmental Concurrence

Policy
 Policy

Consent
 Consent

Dept's Recomm.:
Per Exec. Ofc.:

Prev. Agn. Ref.: 4.7-3/25/08

District: 3rd

Agenda Number:

3.13

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

BACKGROUND (continued):

The Economic Development Agency (EDA) has completed applicable review procedures and has evaluated the potential effects of the project on the environment. The attached documentation was prepared pursuant to NEPA and the environmental procedures cited in 24 CFR 58.5 and 58.6, and EDA has found that the proposed Vineyards at Menifee project would not have a significant effect on the environment. Publishing requirements have been met in accordance with 24 CFR 58.43 and 58.45.

PROJECT DESCRIPTION:

Palm Desert Development Company (PDDC), a for-profit housing developer, is proposing to use up to \$750,000 in HOME funds for the development and construction of a 81-unit senior housing complex in the unincorporated community of Menifee in Riverside County. The proposed Project will consist of 64 one-bedroom and 16 two-bedroom rental units including one two-bedroom manager's unit. The development will serve seniors age 55 and over with incomes which are no more than 60% of the Riverside County Area Median Income. A minimum of 11 HOME-assisted units will be set aside. Additionally, in connection with the Riverside County Mental Health funds that are being sought, a minimum of 10% of the units will be restricted for seniors referred by the Department of Mental Health Homeless Housing Opportunities, Partnership, and Education Program (HHOPE). The Project will be built on a 4.84-acre lot situated in the northeast corner of Newport Road and Winter Hawk Road in the unincorporated community of Menifee in Riverside County.

Other funding sources include a \$2,261,307 conventional loan from Boston Capital; a loan of \$1,500,000 from the Mental Health Services Act (MHSA) Program; tax credit equity contribution of \$13,412,736; a \$2,000,000 grant from the Redevelopment Agency for the County of Riverside; and deferred developer's fee of \$720,956. The total cost of development is estimated to be \$18,644,999.

County Counsel has reviewed and approved the attached Environmental Assessment and Request for Release of Funds. Staff recommends that the Board approve the attached documents..

**NOTICE TO PUBLIC OF A FINDING OF NO SIGNIFICANT IMPACT
ON THE ENVIRONMENT AND INTENT TO REQUEST A RELEASE OF FUNDS**

May 30, 2008

Roy Wilson, Chairman
Riverside County Board of Supervisors
County Administrative Center
4080 Lemon Street, 5th Floor
Riverside, California 92501

(951) 955-3418 Juan Garcia

TO ALL INTERESTED AGENCIES, GROUPS, AND PERSONS:

These notices shall satisfy two separate but related procedural requirements for activities to be undertaken by the County of Riverside.

REQUEST FOR RELEASE OF FUNDS

On or about June 17, 2008, the County of Riverside will submit a request to the U.S. Department of Housing and Urban Development (HUD) Los Angeles Field Office for the release of HOME Investment Partnerships Program funds under Title II of the Cranston-Gonzalez National Affordable Housing Act of 1990, as amended, to undertake the following project:

PROJECT NAME: The Vineyards at Menifee (HM3-08-001)

PURPOSE: The project activity includes the use of up to \$750,000 in HOME funds by Palm Desert Development Company for the development and construction of an approximately 81-unit multi-family housing complex for low-income seniors in the unincorporated community of Menifee of Riverside County. This multi-family housing complex will be built on a 4.84-acre lot within walking distance of a bus stop, senior center, and a commercial plaza which includes a full-scale grocery store. The proposed project will consist of 64 one-bedroom and 16 two-bedroom rental units including one two-bedroom manager's unit.

LOCATION: The project is located in the unincorporated community of Menifee in Riverside County. The project site is situated in the northeast corner of Newport Road and Winter Hawk Road. The Assessor Parcel Number is 338-170-025.

This activity may be undertaken over multiple years.

FINDING OF NO SIGNIFICANT IMPACT

The County of Riverside has determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) on file at the County of Riverside,

Economic Development Agency at 1325 Spruce Street, Suite 400, California 92507. The ERR may be examined or copied between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to the County of Riverside, Economic Development Agency, 1325 Spruce Street, Suite 400, California 92507. All comments received at the address specified above **on or before June 16, 2008** will be considered by the County of Riverside prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing.

RELEASE OF FUNDS

The County of Riverside certifies to the HUD Los Angeles Field Office that Roy Wilson in his capacity as the Chairman of the Board of Supervisors consents to accept the jurisdiction of the Federal courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the County of Riverside to use the HOME Investment Partnerships Program funds.

OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to its release of funds and the County of Riverside's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases:

- a. the certification was not executed by the Certifying Officer of the County of Riverside;
- b. the County of Riverside has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58;
- c. the grant recipient has committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; or
- d. another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality.

Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to the HUD Los Angeles Field Office at 611 W. 6th Street, Suite 800, Los Angeles, California 90017. Objections to the release of funds on a basis other than those stated above will not be considered by HUD.

Potential objectors should contact the HUD Environmental Officer, HUD Los Angeles Field Office (tel. 213-894-8000 or via fax 213-894-8122) to verify the actual last day of the objection period.