

RESOLUTION NO. 2015-129

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA APPROVING THE PHASE 2 FINAL MAP OF PHASE 1C FOR THE DUNES ON MONTEREY BAY DEVELOPMENT PROJECT SUBDIVISION (FORMERLY UNIVERSITY VILLAGE), AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE FINAL MAP ON BEHALF OF CITY SUBJECT TO FINAL REVIEW AND APPROVAL BY THE CITY ATTORNEY

WHEREAS, at the regularly scheduled meeting of May 31, 2005, the City Council adopted Resolution No. 2005-127, certifying the Final Environmental Impact Report for the University Village Development Project, and;

WHEREAS, at the regularly scheduled meeting of May 31, 2005, the City Council adopted Resolution No. 2005-128, approving the General Plan Amendments, Resolution No. 2005-130, for the Specific Plan, Resolution No. 2005-131, for the Tentative Map and Resolution No. 2005-132, Design Review for the regional retail, the Village Promenade and all residential phases for the former University Village Development Project, and;

WHEREAS, at the regularly scheduled meeting of May 31, 2005, the City Council adopted Ordinance No. 2005-07, approving the Zoning Ordinance amendments and Ordinance No. 2005-08, approving the Final Development Agreement, and;

WHEREAS, at the regularly scheduled meeting of May 31, 2005, the City Council adopted Resolution No. 2005-133, approving the Phase 1 Tree Removal Permit, and;

WHEREAS, at the regularly scheduled meeting of October 2, 2007, the City Council adopted Resolution No. 2007-229, approving Phase 1C Final Map for The Dunes on Monterey Bay Development Project Subdivision (Formerly University Village), and approving a Subdivision Improvement Agreement between the City of Marina & Marina Community Partners, LLC (MCP). This Map and Subdivision Improvement Agreement were never executed and recorded with the Monterey County Recorder's office, and;

WHEREAS, at the regular meeting of August 5, 2008, the City Council adopted Resolution No. 2008-173, approving Public Improvement Agreement between City of Marina (City) and Marina Community Partners LLC (MCP), of Marina, California, to construct public improvements in the Dunes Phase 1C area, and;

WHEREAS, at the regular meeting of October 21, 2008, the City Council adopted Resolution No. 2008-209, certifying an addendum to the Environmental Impact Report EIR SCH No. 2004091167, approving an amended tentative map and conditions of approval, revised site plan for the Dunes Phase 1B and revised Project and Tenant Sign Criteria, subject to conditions, and;

WHEREAS, at the regular meeting of February 18, 2015, the City Council adopted Resolution No. 2015-21, approving the Phase 1C Final Map for The Dunes on Monterey Bay Development Project Subdivision and; authorizing the City Manager to execute the Final Map on behalf of City subject to final review and approval by the City Attorney. This final map is considered the 1st Phase of residential development for Phase 1C, and;

WHEREAS, Shea Homes Limited Partnership ("Developer") has submitted the 2nd Phase Final Map of the residential development for Phase 1C to the City for review and approval. Staff has reviewed and approved the improvement plans for construction on June 6, 2014. The Developer has also submitted a Public Improvement Agreement and will provide labor and materials and faithful performance bonds required for the recordation of the Phase 2 Final Map for Phase 1C. It has been determined that the Phase 1C Tentative Map Conditions of Approval as amended and presented to the City Council on February 3, 2015 have been met, and;

WHEREAS, a review of water supply availability to serve Phase 2 of the Phase 1C residential development has also been provided by Brezack & Associates Planning (October 19, 2015) (“**EXHIBIT B**”) pursuant to Section II A of the University Villages Settlement Agreement and the required finding is made in the draft Resolution, and;

WHEREAS, the Phase 2 Final Map for Phase 1C is for the second phase/residential for the Dunes Development Project. The Developer proposes to present in a later phase, the mixed use Village Promenade and specific neighborhood improvements such as parks and open space that comprise the remainder of Phase 1, and;

WHEREAS, all required future phased final maps must meet all the appropriate conditions of approval and will be presented to City Council for consideration at a future date, and;

WHEREAS, should the City Council approve this request, the City requires the developer to provide satisfactory evidence of their ability to complete the public improvements by the posting of labor and material and faithful performance subdivision improvement bonds in an amount of 100% of the City Engineer's estimate of the cost to perform the work.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Marina does hereby approve the Phase 2 Final Map of Phase 1C for The Dunes on Monterey Bay Development Project Subdivision (“**EXHIBIT A**”), and authorizing the City Manager to execute the Final Map on behalf of City subject to final review and approval by the City Attorney based on the following finding:

Findings:

1. Based on substantial evidence in the record, sufficient water supplies from water allocations that have been made or may be made by the City will be available for development encompassed by this Final Map.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting held on the 3rd day of November 2015, by the following vote:

AYES: COUNCIL MEMBERS: Amadeo, Brown, Morton, Delgado

NOES: COUNCIL MEMBERS: O’Connell

ABSENT: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

Bruce Delgado, Mayor

ATTEST:

Anita Sharp, Deputy City Clerk

OWNER'S STATEMENT

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF, OR HAVE SOME RIGHT, TITLE OR INTEREST IN AND TO, THE REAL PROPERTY INCLUDED WITHIN THE SUBDIVISION SHOWN UPON THIS MAP, THAT WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS CLEAR TITLE TO SAID PROPERTY, THAT WE CONSENT TO THE PREPARATION AND RECORDATION OF SAID MAP AND SUBDIVISION AS SHOWN WITHIN THE SUBDIVISION BOUNDARY LINES; AND DO HEREBY DEDICATE TO THE CITY OF MARINA FOR PUBLIC USE, IN FEE, THOSE PORTIONS OF SAID LANDS DESIGNATED ON SAID MAP AS 3RD AVENUE, 9TH STREET, LIGHTHOUSE LANE, BOARDWALK AVENUE, AND BUNGALOW DRIVE.

PARCELS G AND H ARE "RESERVED AS PRIVATE OPEN SPACE" AND ARE TO BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION.

THERE ARE ALSO SHOWN ON THIS MAP AREAS OF LAND DESIGNATED AND DELINEATED AS "IEE" (PRIVATE INGRESS AND EGRESS EASEMENT) TO BE RESERVED AS PRIVATE ACCESS EASEMENTS FOR THE PRIVATE USE OF THE OWNERS OF THOSE LOTS ADJOINING EACH SUCH EASEMENT, THEIR LICENSEES, VISITORS, AND TENANTS. THESE EASEMENTS ARE NOT OFFERED, NOR ARE THEY ACCEPTED FOR DEDICATION BY THE CITY OF MARINA.

THERE ARE ALSO AREAS OF LAND SHOWN ON THIS MAP DESIGNATED AND DELINEATED AS "WE" (PRIVATE WALKWAY EASEMENT). THE DESIGNATED USE AND MAINTENANCE OF THESE EASEMENTS SHALL BE AS PROVIDED BY THE PROJECT COVENANTS, CONDITIONS AND RESTRICTIONS. THESE EASEMENTS ARE NOT OFFERED, NOR ARE THEY ACCEPTED FOR DEDICATION BY THE CITY OF MARINA. THERE ARE ALSO SHOWN ON THE HEREON MAP EASEMENTS FOR PRIVATE UTILITY PURPOSES DESIGNATED AND DELINEATED AS "UE" (PRIVATE UTILITY EASEMENT) FOR THE INSTALLATION AND MAINTENANCE OF PRIVATE UTILITY FACILITIES. THESE EASEMENTS ARE TO BE KEPT OPEN AND FREE FROM ALL BUILDINGS AND STRUCTURES OF ANY KIND, EXCEPT LAWFUL FENCES, AND ALL LAWFUL UNSUPPORTED ROOF OVERHANGS. THE MAINTENANCE, REPAIR, AND/OR REPLACEMENT OF PRIVATE UTILITY FACILITIES SHALL BE THE SOLE RESPONSIBILITY OF THE LOT OWNERS, AS DETERMINED BY THE APPROPRIATE COVENANTS, CONDITIONS, AND RESTRICTIONS. SAID EASEMENT IS NOT OFFERED, NOR IS IT ACCEPTED FOR DEDICATION BY THE CITY OF MARINA.

WE ALSO HEREBY RELINQUISH ANY AND ALL RIGHTS OF INGRESS AND EGRESS TO VEHICULAR TRAFFIC (ABUTTER'S RIGHTS) ACROSS THE LINES AS SHOWN ON HEREON MAP AND DEPICTED AS

|||||

WE ALSO HEREBY DEDICATE FOR PUBLIC USE THOSE EASEMENTS LABELED "PUE"(PUBLIC UTILITY EASEMENT) TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR THE PURPOSE OF REPAIR, REPLACEMENT AND MAINTENANCE OF PUBLIC UTILITIES. SAID STRIPS ARE TO BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES NOT SERVING THE PURPOSE OF THIS EASEMENT.

WE ALSO HEREBY DEDICATE FOR PUBLIC USE THOSE EASEMENTS LABELED "SDE" (STORM DRAIN EASEMENT) FOR PUBLIC STORM DRAINAGE PURPOSES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR THE PURPOSES OF REPAIR, REPLACEMENT AND MAINTENANCE OF STORM DRAINAGE FACILITIES. UNDERGROUND PIPING IS TO BE MAINTAINED BY THE CITY OF MARINA. SAID STRIPS OF LAND ARE TO BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES NOT SERVING THE PURPOSE OF THE EASEMENT.

THERE ARE ALSO AREAS OF LAND SHOWN ON THIS MAP DESIGNATED AND DELINEATED AS "SYE" (SIDEYARD EASEMENT). THESE 5.00 FOOT STRIPS OF LAND, SHOWN HEREON, ARE IN FAVOR OF THE ADJACENT LOTS FOR SIDE YARD PURPOSES. THE DESIGNATED USE AND MAINTENANCE OF THESE EASEMENTS SHALL BE AS PROVIDED BY THE PROJECT COVENANTS, CONDITIONS AND RESTRICTIONS. THESE EASEMENTS ARE NOT OFFERED, FOR DEDICATION TO THE CITY OF MARINA.

THE ABOVE PUBLIC USE EASEMENT DEDICATIONS SHALL INCLUDE REASONABLE RIGHT OF INGRESS & EGRESS OVER ADJOINING LANDS WITHIN THIS SUBDIVISION.

SUBDIVIDER SHALL DEFEND, INDEMNIFY, AND HOLD HARMLESS THE CITY, THE CITY COUNCIL, PLANNING COMMISSION, AGENTS, OFFICERS AND EMPLOYEES FROM ANY CLAIM, ACTION OR PROCEEDING AGAINST THE CITY OR THE CITY COUNCIL, PLANNING COMMISSION, AGENTS, OFFICERS OR EMPLOYEES, TO ATTACK, SET ASIDE, VOID OR ANNUL AN APPROVAL OF THE CITY, THE CITY COUNCIL, PLANNING COMMISSION, OR OTHER BOARD, ADVISORY AGENCY OR LEGISLATIVE BODY CONCERNING THIS SUBDIVISION. CITY WILL PROMPTLY NOTIFY THE SUBDIVIDER OF ANY CLAIM, ACTION OR PROCEEDING AGAINST IT AND WILL COOPERATE FULLY IN THE DEFENSE. THIS CONDITION IS IMPOSED PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 66474.9.

OWNERS: SHEA HOMES LIMITED PARTNERSHIP, A CALIFORNIA LIMITED PARTNERSHIP, ITS MANAGING MEMBER

BY: _____
LAYNE MARCEAU, AUTHORIZED AGENT

BY: _____
DONALD A. HOFER, AUTHORIZED AGENT

FINAL MAP OF
TRACT NO. _____
**PHASE 1C, THE DUNES ON
MONTEREY BAY - SECOND PHASE**
BEING A SUBDIVISION OF DESIGNATED REMAINDER
AS SHOWN ON THE FINAL MAP
FILED IN VOLUME 24 OF CITIES AND TOWNS AT PAGE 40, TRACT 1518
MONTEREY COUNTY RECORDS.
CITY OF MARINA, COUNTY OF MONTEREY, STATE OF CALIFORNIA



OCTOBER 2015

Sheet 1 of 6
JOB # 3089.002

OWNER'S ACKNOWLEDGEMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF _____)
) SS
COUNTY OF _____)

ON THE _____ DAY OF _____, 2015, BEFORE ME, _____, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED, _____ WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME IN HIS/HER AUTHORIZED CAPACITY, AND THAT BY HIS/HER SIGNATURE ON THE INSTRUMENT THE PERSON, OR THE ENTITY UPON BEHALF OF WHICH THE PERSON ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND: _____

PRINTED NAME: _____

MY PRINCIPAL PLACE OF BUSINESS IS THE COUNTY OF: _____

MY COMMISSION EXPIRES: _____

MY COMMISSION NO.: _____

OWNER'S ACKNOWLEDGEMENT

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STATE OF _____)
) SS
COUNTY OF _____)

ON THE _____ DAY OF _____, 2015, BEFORE ME, _____, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED, _____ WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME IN HIS/HER AUTHORIZED CAPACITY, AND THAT BY HIS/HER SIGNATURE ON THE INSTRUMENT THE PERSON, OR THE ENTITY UPON BEHALF OF WHICH THE PERSON ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND: _____

PRINTED NAME: _____

MY PRINCIPAL PLACE OF BUSINESS IS THE COUNTY OF: _____

MY COMMISSION EXPIRES: _____

MY COMMISSION NO.: _____

TRUSTEE'S STATEMENTS

A DEED OF TRUST TO SECURE THE PERFORMANCE OF AN AGREEMENT OR OTHER OBLIGATION, RECORDED JUNE 24, 2014 AS RECORDER SERIES NO. 2014029109 OF OFFICIAL RECORDS.

DATED: JUNE 24, 2014
TRUSTOR: SHEA HOMES LIMITED PARTNERSHIP, A CALIFORNIA LIMITED PARTNERSHIP
TRUSTEE: FIRST AMERICAN TITLE INSURANCE COMPANY

BY:

NAME:

TITLE:

BENEFICIARY'S STATEMENTS

A DEED OF TRUST TO SECURE THE PERFORMANCE OF AN AGREEMENT OR OTHER OBLIGATION, RECORDED JUNE 24, 2014 AS RECORDER SERIES NO. 2014029109 OF OFFICIAL RECORDS.

DATED: JUNE 24, 2014
BENEFICIARY: MARINA COMMUNITY PARTNERS, LLC, A DELAWARE LIMITED LIABILITY COMPANY

BY:

NAME:

TITLE:

TRUSTEE'S ACKNOWLEDGEMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF _____)
) SS
COUNTY OF _____)

ON THE _____ DAY OF _____, 2015, BEFORE ME, _____,
A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED, _____
WHO PROVED TO ME ON THE BASIS OF
SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE
WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME IN
HIS/HER AUTHORIZED CAPACITY, AND THAT BY HIS/HER SIGNATURE ON THE INSTRUMENT
THE PERSON, OR THE ENTITY UPON BEHALF OF WHICH THE PERSON ACTED, EXECUTED
THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA
THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND: _____

PRINTED NAME: _____

MY PRINCIPAL PLACE OF BUSINESS IS THE COUNTY OF:

MY COMMISSION EXPIRES: _____

MY COMMISSION NO.: _____

BENEFICIARY'S ACKNOWLEDGEMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF _____)
) SS
COUNTY OF _____)

ON THE _____ DAY OF _____, 2015, BEFORE ME, _____,
A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED, _____
WHO PROVED TO ME ON THE BASIS OF
SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE
WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME IN
HIS/HER AUTHORIZED CAPACITY, AND THAT BY HIS/HER SIGNATURE ON THE INSTRUMENT
THE PERSON, OR THE ENTITY UPON BEHALF OF WHICH THE PERSON ACTED, EXECUTED
THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA
THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND: _____

PRINTED NAME: _____

MY PRINCIPAL PLACE OF BUSINESS IS THE COUNTY OF:

MY COMMISSION EXPIRES: _____

MY COMMISSION NO.: _____

CITY ENGINEER'S STATEMENT

I, NOURDIN KHAYATA, ACTING CITY ENGINEER OF THE CITY OF MARINA, HEREBY STATE THAT I HAVE EXAMINED THIS MAP, THAT THE SUBDIVISION SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, AND ANY APPROVED ALTERATIONS THEREOF, THAT ALL THE PROVISIONS OF THE CALIFORNIA "SUBDIVISION MAP ACT" AS AMENDED, AND OF MARINA CITY ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF SAID TENTATIVE MAP, HAVE BEEN COMPLIED WITH.

NOURDIN KHAYATA
ACTING CITY ENGINEER, CITY OF MARINA
R.C.E. 52446 EXPIRATION DATE: 12-31-16



CITY SURVEYOR'S STATEMENT

I, CYRUS KIANPOUR, ACTING CITY SURVEYOR OF THE CITY OF MARINA, HEREBY STATE THAT I HAVE EXAMINED THIS MAP AND IT IS TECHNICALLY CORRECT.

CYRUS KIANPOUR
ACTING CITY SURVEYOR, CITY OF MARINA
L.S. 7515 EXPIRATION DATE: 12-31-15



PLANNING STATEMENT

I, THERESA SZYMANIS, ACTING COMMUNITY DEVELOPMENT DIRECTOR, CITY OF MARINA, HEREBY CERTIFY THAT THE MAP SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, AS APPROVED BY THE CITY COUNCIL OF MARINA ON THE 31ST DAY OF MAY 2005, AND SUBSEQUENT AMENDMENT APPROVED OCTOBER 2, 2008.

THERESA SZYMANIS, ACTING COMMUNITY DEVELOPMENT DIRECTOR
CITY OF MARINA

CITY CLERK'S STATEMENT

I, ANITA SHARP, DEPUTY CITY CLERK OF THE CITY OF MARINA, HEREBY CERTIFY THAT THE CITY COUNCIL OF SAID CITY OF MARINA APPROVED THE HEREIN MAP ON THE _____ DAY OF _____, 2015 AND ACCEPTS ON BEHALF OF THE PUBLIC, IN FEE, SUBJECT TO IMPROVEMENTS, THOSE PORTIONS OF SAID LANDS DESIGNATED ON SAID MAP AS 3RD AVENUE, 9TH STREET, LIGHTHOUSE LANE, BOARDWALK AVENUE, AND BUNGALOW DRIVE OFFERED FOR DEDICATION, IN CONFORMITY WITH THE TERMS OF THE OFFER OF DEDICATION, AND ACCEPTS PUBLIC EASEMENTS OFFERED FOR DEDICATION.

ANITA SHARP
DEPUTY CITY CLERK OF MARINA

SOILS REPORT STATEMENT

A SOILS REPORT DATED JULY 1, 2005 PREPARED BY BERLOGAR GEOTECHNICAL CONSULTANTS HAS BEEN SPECIFICALLY PREPARED FOR THIS SUBDIVISION AND IS ON FILE AT THE CITY OF MARINA ENGINEERING DEPARTMENT.

SURVEYOR'S STATEMENT

I, RYAN M. SEXTON, HEREBY STATE THAT THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION, AND IS BASED UPON A FIELD SURVEY MADE DURING THE MONTH OF APRIL 2014 IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE, AT THE REQUEST OF MARINA COMMUNITY PARTNERS, LLC. I HEREBY STATE THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN, THAT ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, OR WILL BE SET IN THOSE POSITIONS ON OR BEFORE DECEMBER 31, 2016, AND THAT SAID MONUMENTS WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP. THE AREA OF THIS SUBDIVISION IS 31.74 ACRES, MORE OR LESS.

RYAN M. SEXTON
P.L.S 9177
EXPIRATION DATE: 03/21/2017



RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____, 2015, AT _____ M IN VOLUME _____
OF CITIES AND TOWNS, AT PAGE _____ AT THE REQUEST OF FIRST AMERICAN TITLE CO.

SIGNED: _____

COUNTY RECORDER

BY: _____

DEPUTY

SERIAL NUMBER: _____ FEE: _____

**FINAL MAP OF
TRACT NO. _____
PHASE 1C, THE DUNES ON
MONTEREY BAY - SECOND PHASE**

BEING A SUBDIVISION OF DESIGNATED REMAINDER
AS SHOWN ON THE FINAL MAP
FILED IN VOLUME 24 OF CITIES AND TOWNS AT PAGE 40, TRACT 1518
MONTEREY COUNTY RECORDS.
CITY OF MARINA, COUNTY OF MONTEREY, STATE OF CALIFORNIA



OCTOBER 2015

Sheet 2 of 6
JOB # 3089.002

NOTES

- ALL CURVES DIMENSIONED WITH RADIUS, DELTA, ARC LENGTH, CHORD BEARING AND CHORD LENGTH. CHORD LENGTHS MAY CONTAIN SOME ROUNDING ERROR.
- ALL DISTANCES SHOWN HEREON ARE EXPRESSED IN FEET AND DECIMALS THEREOF.
- DUE TO ROUNDING THE SUM OF THE INDIVIDUAL DIMENSIONS MAY NOT EQUAL THE OVERALL DIMENSION.
- TOTAL AREA FOR THIS "PHASE 1C, THE DUNES ON MONTEREY BAY - SECOND PHASE" SUBDIVISION IS 31.74± AC. GROSS, CONSISTING OF 88 RESIDENTIAL DEVELOPMENT LOTS, 2 PARK/OPEN SPACE LOTS AND 19.45± ACRES DESIGNATED REMAINDER.
- 5/8" REBAR CAPPED LS 9177 WILL BE SET AT ALL FRONT AND REAR LOT CORNERS, ALONG WITH ALL LOT LINE ANGLE POINTS, OR AT 1.00 FOOT PROJECTION BEHIND LOT LINES ADJACENT TO SIDEWALKS; AT 2.00 FOOT PROJECTION ALONG LOT LINES ADJACENT TO SOUNDWALLS OR 1" BRASS DISK LS 9177 AT 1.00 FOOT PROJECTION OF PROPERTY LINE ONTO THE SIDEWALK FOR FRONT CORNERS.

REFERENCES:

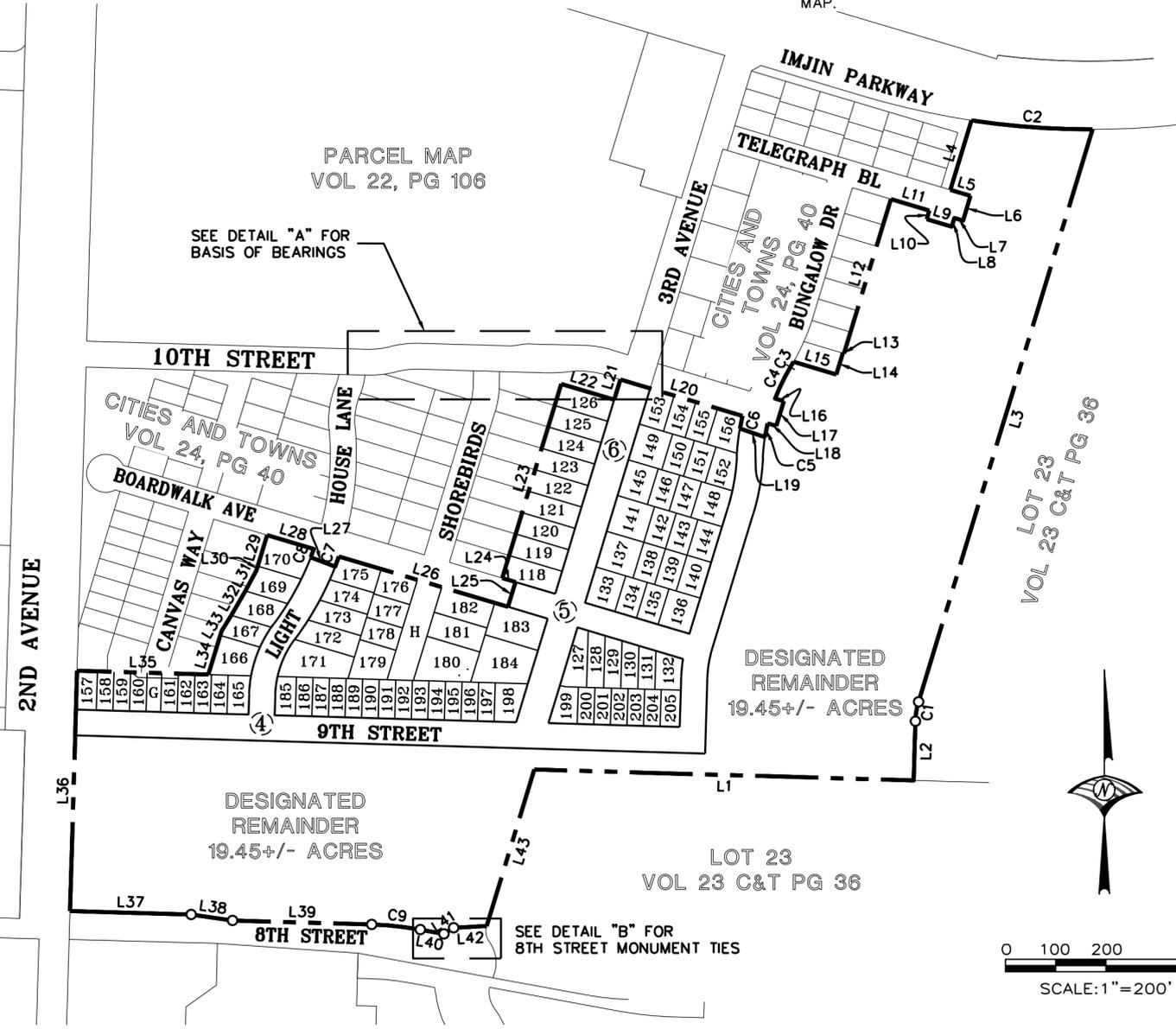
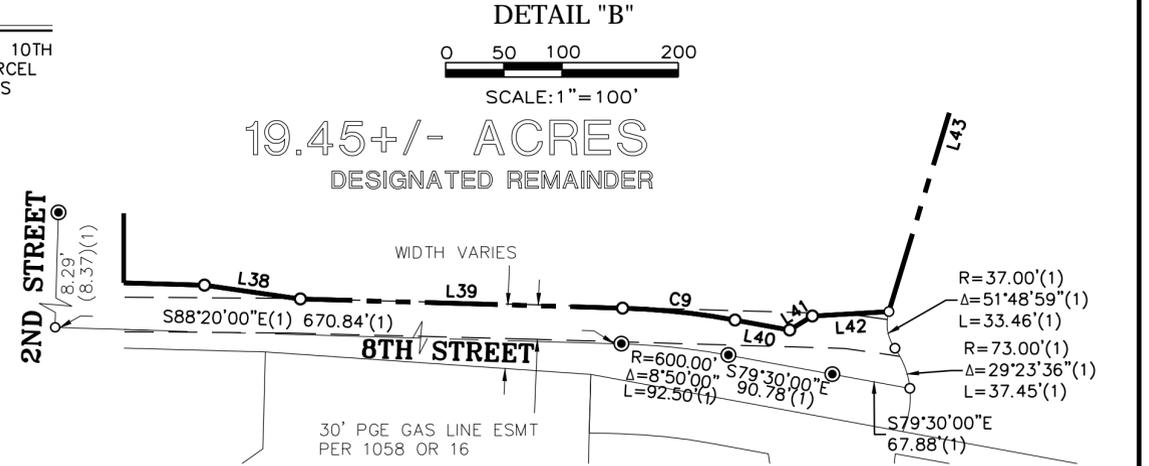
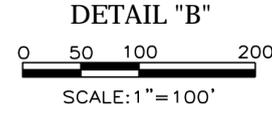
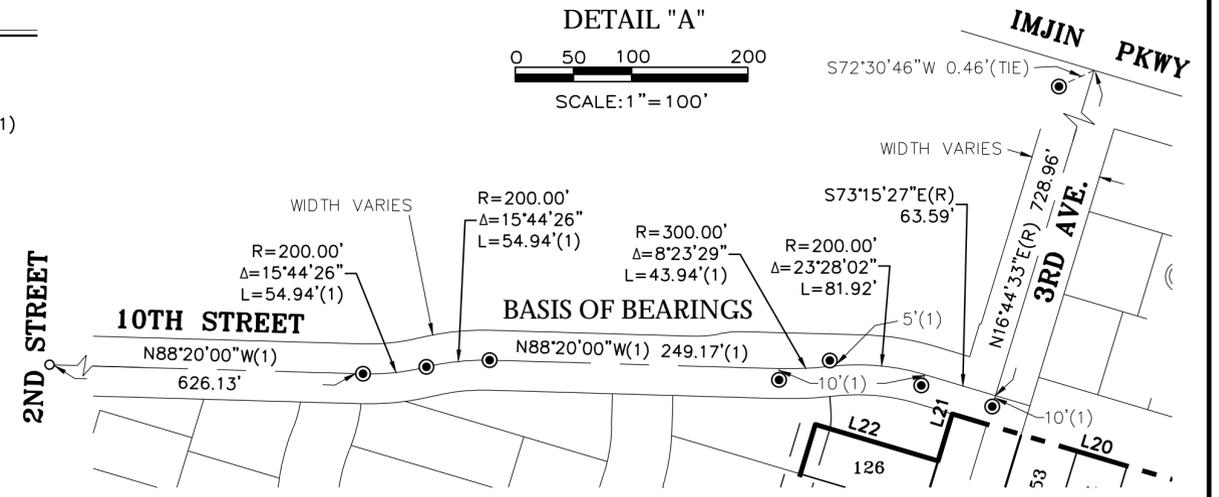
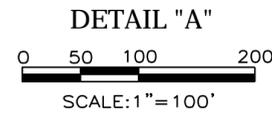
- 22 PARCEL MAPS 106 (PARCEL MAP)
- 24 CITIES AND TOWNS 40 (FINAL MAP)

LEGEND

- DIMENSION POINT
- ⊙ SET STANDARD STREET WELL MONUMENT
- ⊙ FOUND STANDARD STREET WELL MONUMENT PER (1)
- AC ACRES
- BOUNDARY LINE
- ADJACENT PROPERTY LINE / EASEMENTS
- CENTERLINE
- EASEMENTS
- RIGHT-OF-WAY LINE
- ESMT EASEMENT
- IEE PRIVATE INGRESS/EGRESS EASEMENT
- OR OFFICIAL RECORDS
- (OA) OVERALL DISTANCE
- PUE PUBLIC UTILITY EASEMENT
- (R) RADIAL BEARING
- UE PRIVATE UTILITY EASEMENT
- SYE SIDE YARD EASEMENT
- (4) SHEET NUMBER REFERENCE

BASIS OF BEARINGS

THE BEARING OF N88°20'00"W BETWEEN FOUND STREET MONUMENTS IN 10TH STREET, AS SHOWN ON THE PARCEL MAP FILED IN VOLUME 22 OF PARCEL MAPS AT PAGE 106, WAS TAKEN AS THE BASIS OF BEARINGS FOR THIS MAP.



Line Table - This Sheet Only

No.	Bearing	Length
L1	N88°20'00"W	755.15'
L2	N1°40'00"E	119.16'
L3	N16°44'33"E	1201.97'
L4	N16°44'33"E	145.88'
L5	N73°15'27"W	42.10'
L6	N16°44'33"E	52.00'
L7	N73°15'27"W	17.97'
L8	N16°44'33"E	17.97'
L9	N73°15'27"W	52.00'
L10	N16°44'33"E	17.97'
L11	N73°15'27"W	80.00'
L12	N16°44'33"E	324.00'
L13	N73°15'27"W	2.36'
L14	N16°44'33"E	45.00'
L15	N73°15'27"W	88.78'
L17	N16°44'33"E	52.00'
L18	N73°15'27"W	18.04'
L19	N70°42'52"W	52.78'
L20	N73°15'27"W	254.00'
L21	N16°44'33"E	42.50'
L22	N73°15'27"W	110.00'
L23	N16°44'33"E	407.50'
L24	N73°15'27"W	27.59'
L25	N16°44'33"E	52.00'
L26	N73°15'27"W	351.49'
L27	N68°53'24"W	52.00'
L28	N73°15'27"W	97.00'

Line Table - This Sheet Only

No.	Bearing	Length
L29	N16°44'33"E	65.00'
L30	N16°44'33"E	9.90'
L31	N28°19'46"E	46.03'
L32	N29°45'02"E	56.45'
L33	N31°16'23"E	36.28'
L34	N16°44'33"E	92.06'
L35	N88°20'00"W	261.48'
L36	N1°40'00"E	483.32'
L37	N88°20'00"W	240.95'
L38	N81°43'51"W	83.34'
L39	N88°20'00"W	277.11'
L40	N79°30'00"W	47.74'
L41	N57°53'40"E	23.02'
L42	N86°46'30"E	65.97'
L43	N16°44'33"E	328.60'

Curve Table - This Sheet Only

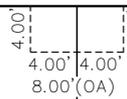
No.	Radius	Delta	Length
C1	150.00'	15°04'33"	39.47'
C2	1570.00'	8°49'57"	242.02'
C3	464.01'	1°30'46"	12.25'
C4	392.00'	10°17'22"	70.40'
C5	392.00'	4°08'14"	28.31'
C6	444.00'	3°20'38"	25.91'
C7	626.00'	1°59'14"	21.71'
C8	574.00'	1°46'17"	17.75'
C9	631.00'	8°50'00"	97.28'

FINAL MAP OF
TRACT NO. _____
**PHASE 1C, THE DUNES ON
MONTEREY BAY - SECOND PHASE**
BEING A SUBDIVISION OF DESIGNATED REMAINDER
AS SHOWN ON THE FINAL MAP
FILED IN VOLUME 24 OF CITIES AND TOWNS AT PAGE 40, TRACT 1518
MONTEREY COUNTY RECORDS.
CITY OF MARINA, COUNTY OF MONTEREY, STATE OF CALIFORNIA

OCTOBER 2015

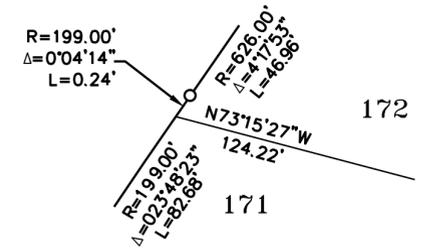
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PUBLIC RIGHT-OF-WAY

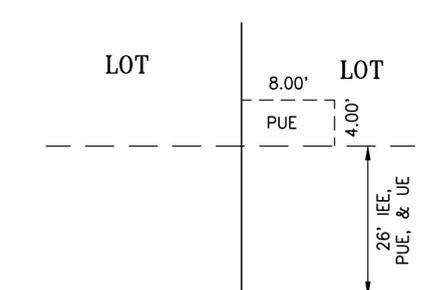


LOT LOT

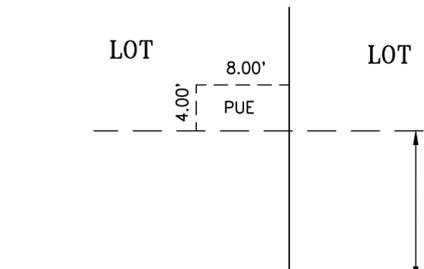
DETAIL "A" - NTS
TYPICAL PUE DETAIL
FOR LOTS 166-170



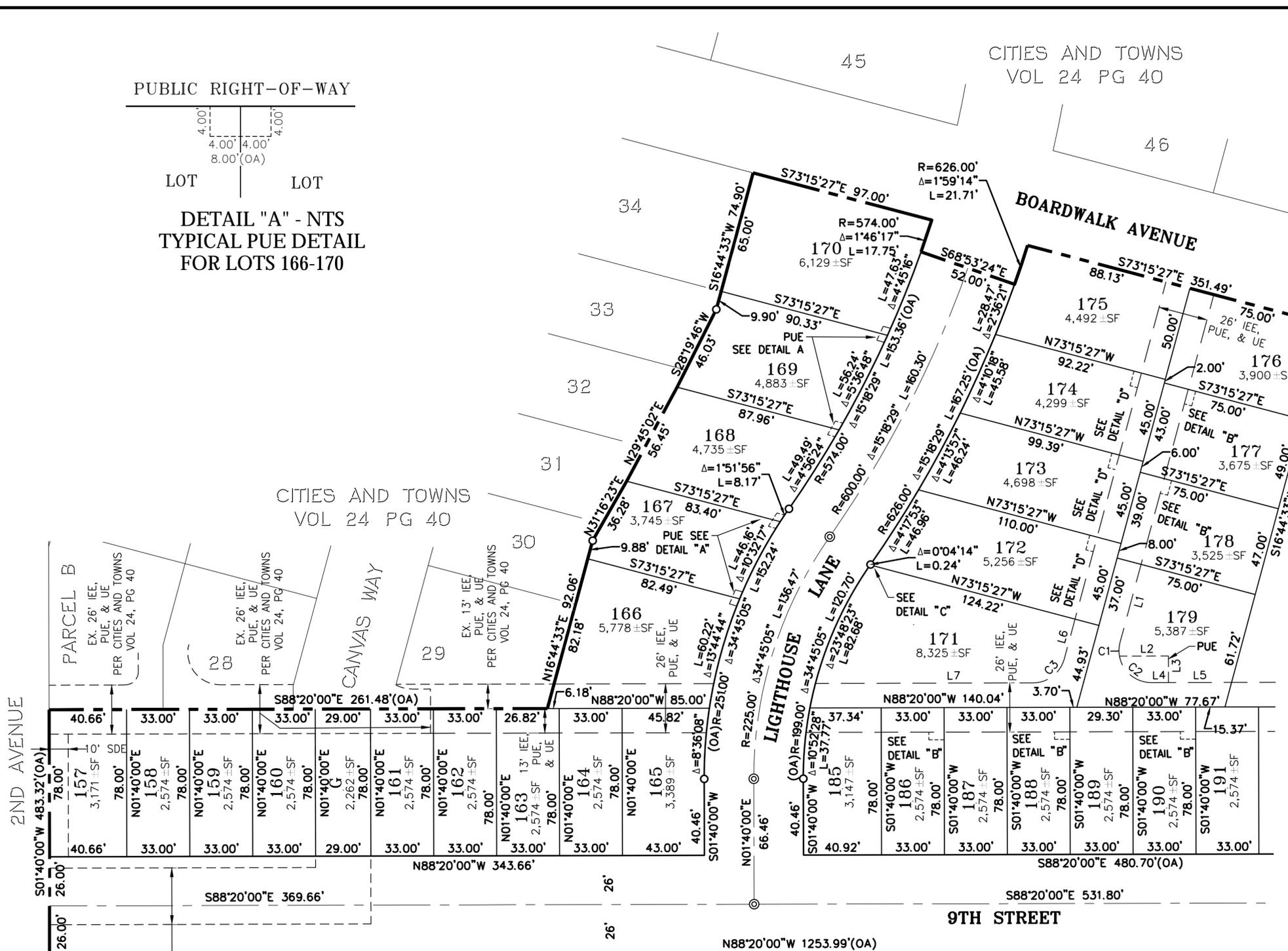
DETAIL "C" - NTS



DETAIL "B" - NTS
TYPICAL PUE DETAIL
FOR LOTS 177, 178, 186, 188, 190



DETAIL "D" - NTS
TYPICAL PUE DETAIL FOR
LOTS 172, 173, 174



LINE TABLE - THIS SHEET ONLY

LINE #	LENGTH	BEARING
L1	42.78	N16°44'33"E
L2	25.67	N88°20'00"W
L3	14.07	N01°40'00"E
L4	8.93	N88°20'00"W
L5	33.10	N88°20'00"W
L6	21.94	N16°44'33"E
L7	114.10	N88°20'00"W

CURVE TABLE - THIS SHEET ONLY

NO.	RADIUS	DELTA	LENGTH
C1	17.00'	24°59'34"	7.42'
C2	17.00'	80°04'59"	23.76'
C3	17.00'	74°55'27"	22.23'

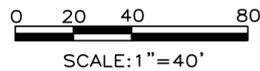
SEE LEGEND ON SHEET 3

DESIGNATED REMAINDER
SEE SHEET 3

FINAL MAP OF
TRACT NO. _____
**PHASE 1C, THE DUNES ON
MONTEREY BAY - SECOND PHASE**
BEING A SUBDIVISION OF DESIGNATED REMAINDER
AS SHOWN ON THE FINAL MAP
FILED IN VOLUME 24 OF CITIES AND TOWNS AT PAGE 40, TRACT 1518
MONTEREY COUNTY RECORDS.
CITY OF MARINA, COUNTY OF MONTEREY, STATE OF CALIFORNIA

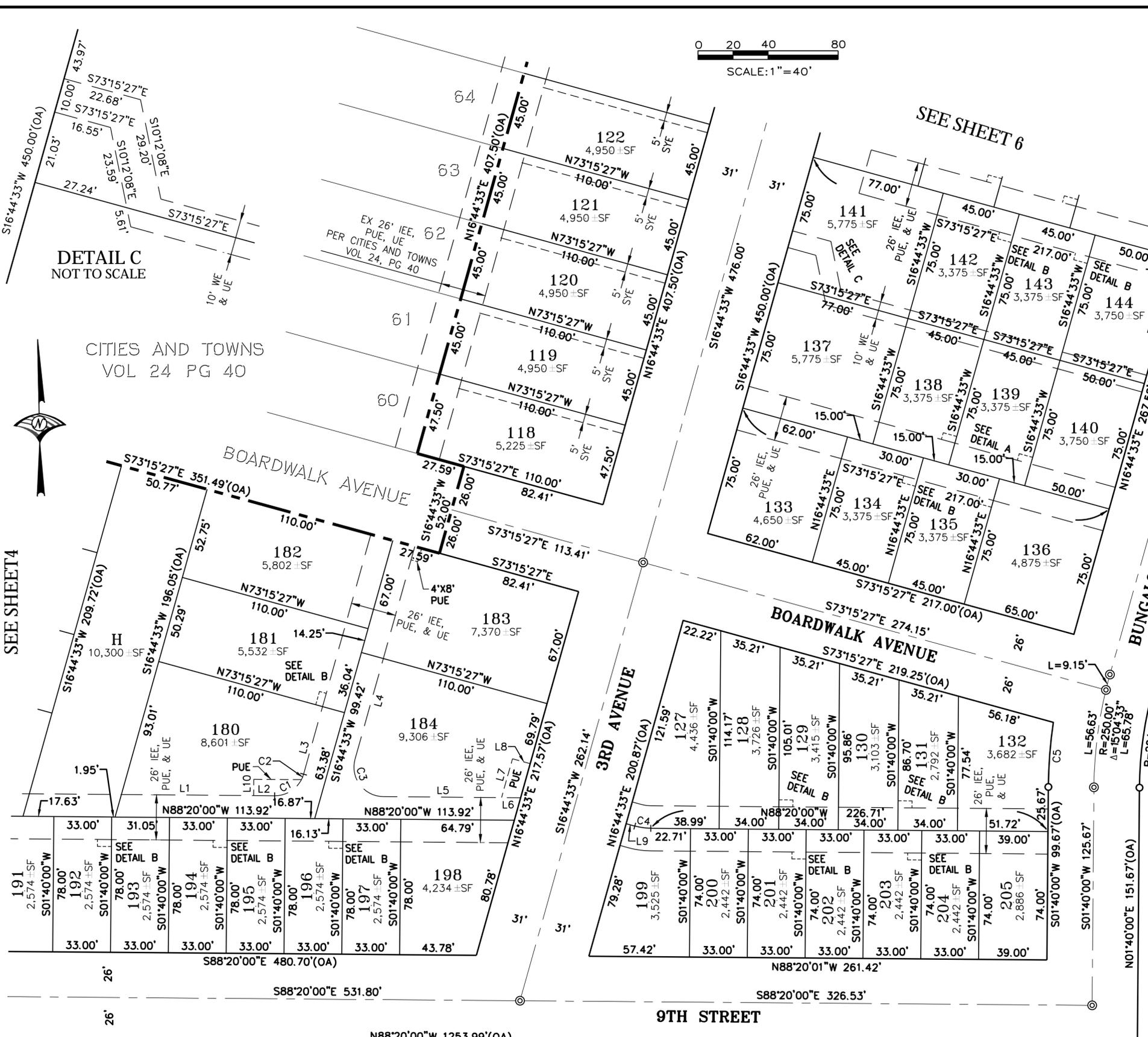
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OCTOBER 2015
Sheet 4 of 6
JOB # 3089.002



CURVE TABLE - THIS SHEET ONLY			
NO.	RADIUS	DELTA	LENGTH
C1	17.00'	63°26'39"	18.82'
C2	17.00'	11°28'48"	3.41'
C3	17.00'	105°04'33"	31.18'
C4	35.00'	15°04'33"	9.21'
C5	276.00'	7°45'32"	37.37'

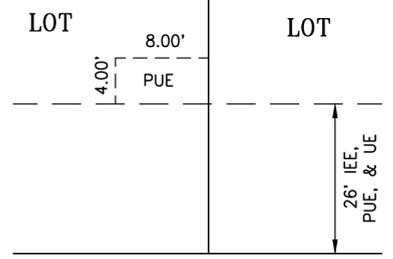
LINE TABLE - THIS SHEET ONLY		
LINE #	LENGTH	BEARING
L1	75.46	N88°20'00"W
L2	11.97	N88°20'00"W
L3	40.39	S16°44'33"W
L4	60.27	S16°44'33"W
L5	67.40	N88°20'00"W
L6	10.87	N88°20'00"W
L7	23.23	N16°44'33"E
L8	10.50	S73°15'27"E
L9	5.17	S73°15'27"E
L10	9.40	S01°40'00"W



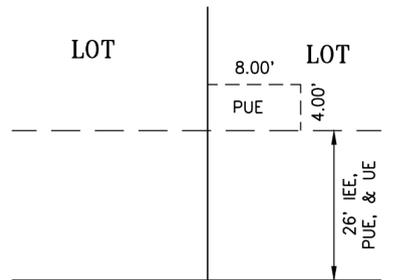
DETAIL C
NOT TO SCALE

CITIES AND TOWNS
VOL 24 PG 40

SEE SHEET 6



DETAIL "A" - NTS
TYPICAL PUE DETAIL FOR LOTS 138, 139



DETAIL "B" - NTS
TYPICAL PUE DETAIL
FOR LOTS 129, 131, 134, 135, 142,
143, 181, 192, 194, 196, 201, 203

FINAL MAP OF
TRACT NO. _____
**PHASE 1C, THE DUNES ON
MONTEREY BAY - SECOND PHASE**
BEING A SUBDIVISION OF DESIGNATED REMAINDER
AS SHOWN ON THE FINAL MAP
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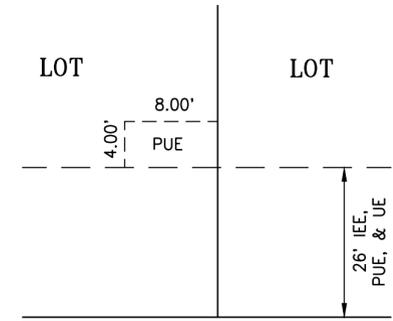
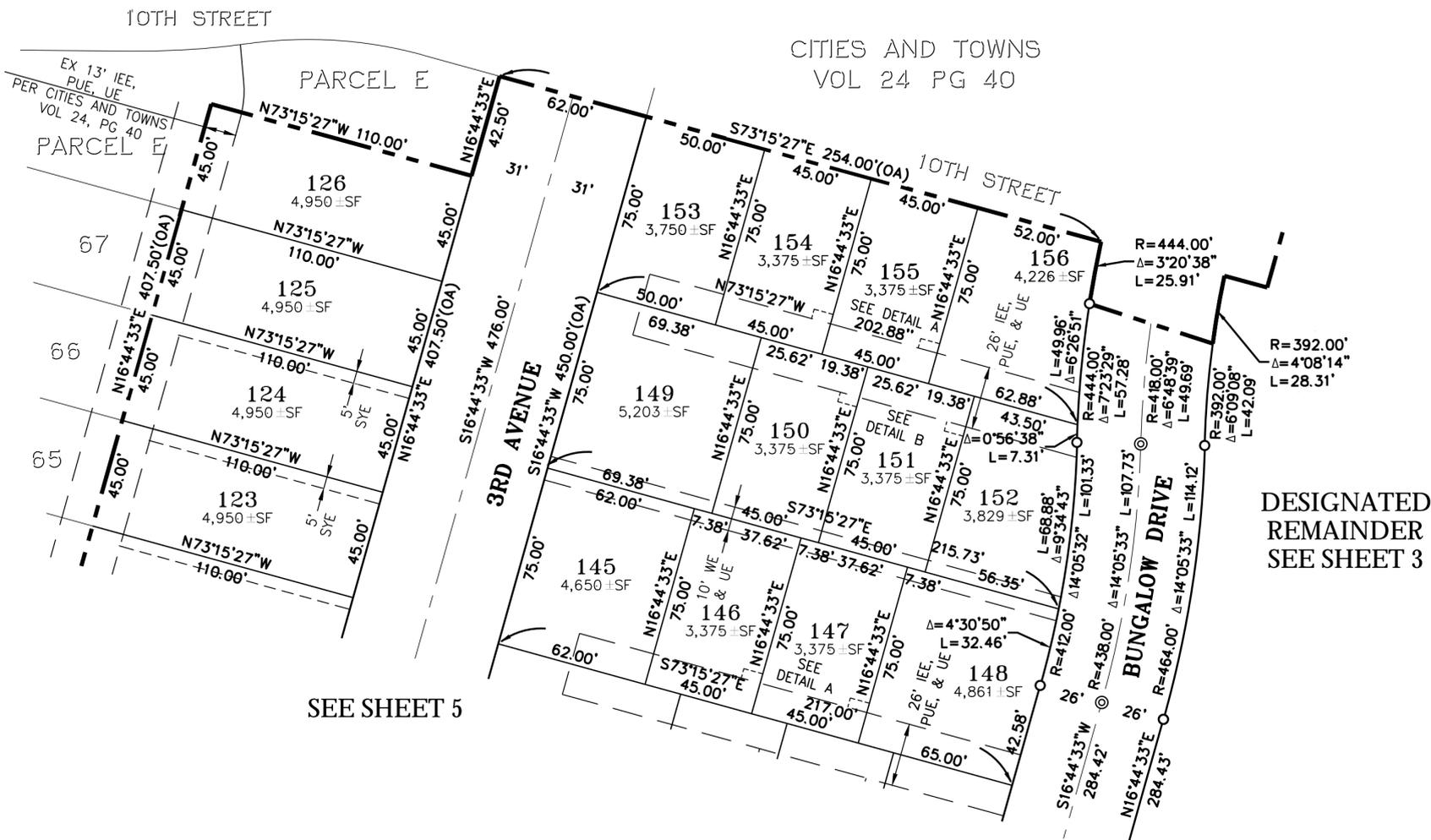
DESIGNATED REMAINDER
SEE SHEET 3

SEE LEGEND ON SHEET 3

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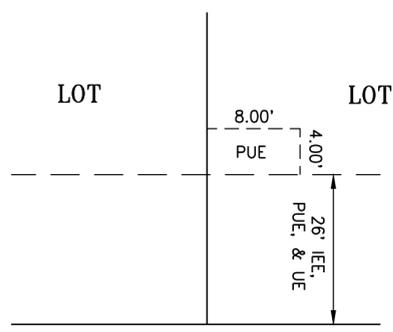
OCTOBER 2015
Sheet 5 of 6
JOB # 3089.002

CITIES AND TOWNS
VOL 24 PG 40



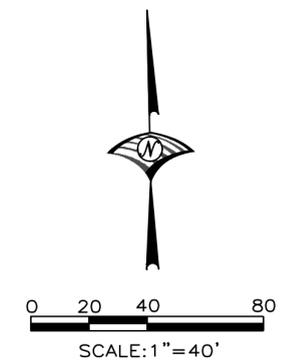
DETAIL "A" - NTS
TYPICAL PUE DETAIL
FOR LOTS 146, 147, 154, 155

SEE SHEET 5



DETAIL "B" - NTS
TYPICAL PUE DETAIL
FOR LOTS 150, 151

SEE LEGEND ON SHEET 3



FINAL MAP OF
TRACT NO. _____
**PHASE 1C, THE DUNES ON
MONTEREY BAY - SECOND PHASE**
BEING A SUBDIVISION OF DESIGNATED REMAINDER
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OCTOBER 2015
Sheet 6 of 6
JOB # 3089.002

October 19, 2015

Mr. Chris Stump
Community Development Manager
Shea Homes
2630 Shea Center Drive
Livermore, CA 94551

Subject: Water Review – MCP Phase 2 of 1C

Dear Mr. Stump:

We have completed a review of the background materials provided for the proposed Project as requested by Shea Homes. This letter provides the results of our review.

Introduction:

The City of Marina (City) is currently reviewing conditions for the final Map for Phase 2 of IC of The Dunes On Monterey Bay Project (proposed Project), formally the University Villages Project. The project Applicant is the Shea Homes and the proposed Project is located in the Dunes Specific Plan area.

Brezack & Associates Planning, LLC, (B&AP) was requested by Shea Homes to prepare a reevaluation and letter review for the consistency of the proposed project to the Specific Plan EIR. The purpose of the consistency analysis is to determine the accuracy of the water demands projected for the proposed Project, based on typical (local) unit water demand factors, and the adequacy of water supplies allocated to the proposed Project.

B&AP prepared this review with assistance from and coordination with the project Applicant.

The Marina Coast Water District (MCWD) is the water purveyor to the proposed Project. MCWD has previously prepared a Water Supply Assessment and Written Verification (WSA / WV) for the Specific Plan Area (MCWD, 2005). MCWD also prepared a 2010 update to its Urban Water Management Plan (MCWD, 2010) that includes water demands for the development within the Specific Plan Area. B&AP previously prepared water demand estimates for the City that are used in this reevaluation. A water demand review for Phase 1 of 1C was completed in February 2015.

Water Demand Analysis:

B&AP prepared a water demand estimate for the proposed Project based on information provided by the project Applicant. Water demands are separately identified for interior potable water use, and exterior use to facilitate an accounting of the potential future use of recycled water.

The proposed Project's unit and total water demands for residential land uses also references data from similar projects.

Table 1 presents an itemization of the facilities planned to be constructed in the proposed Project. The proposed Project is characterized as completely residential, small lot, subdivision.

Table 1: Proposed Project Description – Phase 2 of 1C

Product Type	Numbers of Units	Approximate Lot Area (Square-feet)
Duets	36	2,250
Small Lot Alley	31	3,088
Small Lot Standard	5	3,800
Large Lot Alley (Carriage)	16	4,750
TOTAL	88	

The University Villages Settlement Agreement (Settlement Agreement) imposes the following requirements for the installation of water conserving facilities in residences throughout the Specific Plan Area with the objective of maximizing water conservation:

- Drought-tolerant plant materials in landscaping
- Satellite controlled Evapotranspiration-based (ET) irrigation control systems
- Tankless hot water heaters
- Dual / Ultra low flow toilets
- Front-loading (horizontal axis) clothes washing machines

The Water Conservation Act of 2009 (SBx7-7) requires most urban water suppliers in California to establish baseline daily per capita water demand and water conservation targets. California's statewide goal of reducing average per capita water demand by twenty percent by the year 2020 has been established. California's estimated average statewide domestic water demand in 2005 was 192 gallons per capita day (gpcd), with a conservation target of 154 gpcd for the year 2020. An interim statewide target of 173 gpcd was set for the year 2015.

MCWD estimated its baseline water demand to be 154 gpcd (MCWD 2010). The regional conservation targets are 139 gpcd by the year 2015, and 123 gpcd by the year 2020. MCWD's service area average water demand has been at or below the regional 2020 target since 2009 (MCWD, 2010). Table 2 is taken from MCWD's 2010 Update to its Urban Water Management Plan and presents MCWD's baseline, maximum and interim per capita water use targets for its service area.

Table 2: MCWD Water Use Targets

Description	Year	Amount
Baseline Water Demand	2008	133 gpcd
Maximum Target (95% of 5-year baseline)	2020	126 gpcd
Method 3 Target (95% of Regional Target)	2020	117 gpcd
Interim Target	2015	125 gpcd

The Applicant provided B&AP with a draft tentative map of the proposed Project for use in estimating interior and exterior water demand consistent with MCWD’s 2010 Urban Water Management Plan water demand factors for interior and exterior uses. B&AP estimated the overall water demands as follows:

- Total interior water demand of approximately 12.4 AFY
- Total exterior demand of approximately 4.42 AFY
- Total project water demand 16.9 AFY

A more detailed presentation of the estimated water demands is presented in Table 3. It is based on water use demands for similar local projects and Best Management Practices (BMP’s) for the installation and use of water conservation facilities and practices similar to those required by MCWD. These assumptions result in a total estimated water demand for the proposed project of 16.9 AFY. This results in an estimated per capita demand of approximately 93 gpcd, or roughly 80% of the Method 3 per capita target used by MCWD.

Table 3: Shea Homes Phase 2 of 2C Water Demand Estimates

Product Type	No. Units	Interior Water Demand			Exterior Water Demand							Total Exterior Demand (AFY)	Projected Unit Demand (AFY/Unit)	Total Demand (AFY)	
		People/Unit	Unit Interior Demand (AFY/Unit)	Total Interior Demand (AFY)	Lot Size (ft^2)	Lot Size (ac)	Irrigable Area (% of Lot)	Turf (% of Irrigable)	Turf Demand (AFY)	Ornamental (% of Irrigable)	Ornamental Demand (AFY)				Unit Exterior Demand
Duets	36	1.0	0.077	2.8	2250	0.05	40%	40%	0.017	60%	0.020	0.036	1.31	0.114	4.1
Small Lot Alley	31	2.0	0.155	4.8	3088	0.07	40%	30%	0.017	70%	0.032	0.049	1.51	0.203	6.3
Small Lot Standard	5	3.0	0.232	1.2	3800	0.09	40%	50%	0.035	50%	0.028	0.063	0.31	0.295	1.5
Large Lot Alley (Carriage)	16	3.0	0.232	3.7	4750	0.11	40%	60%	0.052	40%	0.028	0.080	1.28	0.312	5.0
Total	88	161.0		12.4									4.42		16.9

Baseline Conditions:

On May 17, 2005 the City passed and approved Resolution No. 2005-129 Reserving and Allocating Water Sufficient to Serve the Marina Community Partners (MCP) Development. In part, the basis for that resolution was the fact that an allocation of 1,325 AFY of potable water had been made by the Fort Ord Reuse Authority (FORA) to serve properties throughout the Marina-Ord area. Further, Resolution 2005-129 acknowledged that a WSA/WV had been prepared by the MCWD for the Dunes on Monterey Bay (University Villages) Specific Plan Area, in compliance with various provisions of the California Water Code (CWC) (MCWD, 2005). The WSA identifies a water supply of 732 AFY for the University Villages – Ord.

A number of facts resulted in discrepancies between the total water demand estimates made by MCWD to those made by the City in their independent evaluations of the development plans made for the Specific Plan Area. As a result, and in consideration of the entire record, the City’s resolution was adopted to reserve and allocate 593 AFY to serve the MCP Development. Subsequent analysis made by the MCWD for WSA / WV’s for other projects acknowledge and adopt water demand estimating procedures and incorporation of recycled water and augmentation supplies, similar to the practice used by the City.

Running Tally:

Several redevelopment projects have occurred throughout the Specific Plan Area from land transfers by the MCP to other parties. The following is a list of these redevelopments projects:

- Community Hospital of the Monterey Peninsula (CHOMP), Marina Campus
- Veterans Administration Monterey Health Care Center
- Springhill Suites (Marriott) Hotel Project

MCWD prepared and adopted a Water Supply Assessment and Written Verification of Supply for the MCP University Villages Specific Plan Development. MCWD concluded that a sufficient water supply did not exist, pursuant to 66473.7, however did so without consideration of future water supplies that would be available to the District (implementation of the Fort Ord Water Augmentation Project that will provide 2,400 AFY of additional water as well as the implementation and use of recycled municipal wastewater). The City of Marina in Resolution 2005-129 made the following findings based on substantial evidence that:

- Projected water supplies will be sufficient to satisfy the demands of the project (MCP Specific Plan) in addition to existing and planned future uses
- The Water Supply Assessment / Written Verification (WSA / WV) failed to account for additional water supplies that are or will be, available prior to completion of the MCP Development.

Table 5: Comparison of Baseline Conditions and Actual Water Use in the area of the Proposed Project

Information Source	Baseline Conditions		Running Tally	
	<i>“Baseline Conditions” refer to the allocation of 593 AFY of Potable Water to MCP Development water per City Resolution No. 2005-129 that makes findings of a sufficient water supply and reservation of adequate supplies for the project area.</i>		<i>“Running Tally” refers to the changes in the remaining availability of water resulting from development per plan and redevelopment of properties within the UV/Dunes Specific Plan Area.</i>	
Information Source	Water Supply	Water Demand	Water Supply	Water Demand
MCWD’s WSA/WV for the UV/Dunes SP Area	Marina Ord = 1175+150 SP Area Supply = 694. City’s adoption of Resolution 2005-129 makes additional findings on water supply availability, per Exhibit B, of 2261 AFY in consideration of Augmentation Supplies and findings on lower demand estimates.	Total SP Demand 732 + 124 = 856. City’s adoption of Resolution 2005-129 makes additional findings on water demand per Exhibit B-1 of 701 AFY.	Lower demands from redevelopment parcels increases supply availability to remaining parcels by 110.89 AFY.	Redevelopment parcels approved at cumulative 110.89 AFY less than anticipated in City’s approval of the project including MCWD’s WSA/WV.
City Adopted/Certified UV / Dunes Specific Plan UV/Dunes EIR	<ul style="list-style-type: none"> • Utility Condition (UT) UT-1 Existing water entitlements and resources are sufficient to meet the projected water demand for the Proposed Project. • Improvement Measure: UT-1.1 Implement the water conservation measures identified in the Specific Plan. 			
UV/Dunes Settlement Agreement	<ul style="list-style-type: none"> • Requires the use of water conservation BMPs consistent with WSA/WV that have been applied to all developments within the Specific Plan Area. • Acknowledges the City’s adoption of Resolution 2005-129 that allocates 593 AFY to the UV Specific Plan Area and the City’s determination of an adequate water supply for the project. • Requires the City to monitor and collect water use data for prior phases of the MCP Development for reporting to MCWD for the completion of Water Supply Verifications. The proposed project is 			

	for the construction of a variety of single family homes. To date, no similar land uses have been constructed in the MCP Development.

The City produced a report that identified water demands estimated for the MCP Specific Plan area were 593 AFY as compared to the demand estimates made by the MCWD of 732 AFY.

Individual developments within the UV/Dunes Specific Plan area have been moving forward and generally have been predicted to use less water than originally analyzed by the water purveyor. The discrepancy between demand estimates made by the water purveyor to those made by the City have been summarized in the 2010 MCWD Urban Water Management Plan update as follows:

“It has been observed that during the development process and in the preparation of water supply assessments and written verifications of supply, more sophisticated forecasts are made by disaggregating indoor and outdoor uses when the proposed land use data is sufficient to support such analyses. These assessments generally result in lower projected water demands than the general methods used in this Plan. In a long-term forecast such as provided here, the precise types of uses and plot plans that will be constructed and maintained over the long term cannot be precisely known. As development proceeds, market forces will dictate the specific land uses within non-residential zones and refined plans for residential uses will allow for more detailed consumption projections. The Urban Water Management Planning Act recognizes this fundamental nature of demand forecasting in requiring updated Urban Water Management Plans every five years. In the case of MCWD, where development in the next twenty years is expected to dramatically change the nature of the community and more than double its population and water demands, these periodic updates will be critical to MCWD’s ability to plan for future demands as they are identified.”

Water Supply Availability:

A comparison of water supply availability has been prepared based on the City’s existing water demand data. The City’s existing and anticipated future water supply and water demand forecasts have been documented in the MCWD’s 2010 Urban Water Management Plan Update, the Specific Plan EIR, and in various Water Supply Assessment and Written Verification of Water Supply Reports by MCWD. Term A.2 of the Settlement Agreement requires that the sufficiency of water supplies for the development “...shall take account of available data requiring actual water use with any prior phases of the MCP Development that have been constructed and occupied.” However, the MCWD and not the City has access to and accounting of actual water use data through their metered water sales. MCWD makes publically available a summary report of water consumption by land use jurisdiction. The latest report reviewed by the City is dated January 26, 2015. That consumption report presents aggregated water demands indicating that a range of five to eleven percent of allocated supply was used in the UV/Dunes Specific Plan Area over the past ten years. Therefore, the water demand of existing developments has not exceed the allocated water supplies. A closer comparison between water supply availability and demand is not possible as none of the existing uses are similar to those proposed in Phase IC.

Conclusion:

An adequate supply of water is available to the proposed Project based on the allocation of 593 AFY of Potable Water to the MCP Specific Plan Area per City Resolution No. 2005-129. Using the allocation of 732 AFY made by MCWD in their WSA / WV increases the availability of water for the development of the proposed project and other portions of the MCP Specific Plan Area by an additional 139 AFY. Comparison to metered water sales by MCWD identifies a range of five to eleven percent of allocated

supply used in the MCP Specific Plan Area over the past ten years.

The City in its project approval process had more detailed planning level information available that facilitated its water demand estimating separately for interior and exterior uses. Further, the City obtains from proposed development projects sufficient information for making more detailed estimates than may have been possible when the WSA /WV was prepared in 2005. The MCWD's Written Verification of Supply Availability did not consider the availability of water from the Water Augmentation Project (2,400 AFY) and the development or recycled water. The City in its Resolution 2005-129 made findings of an adequate water supply for the MCP Specific Plan Area based on the availability of future water supplies and lower water demand estimates.

October 22, 2015

Item No. **11b**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of November 3, 2015

RECOMMENDATION TO CONSIDER ADOPTING RESOLUTION NO. 2015-, APPROVING THE PHASE 2 FINAL MAP OF PHASE 1C FOR THE DUNES ON MONTEREY BAY DEVELOPMENT PROJECT SUBDIVISION (FORMERLY UNIVERSITY VILLAGE), AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE FINAL MAP ON BEHALF OF CITY SUBJECT TO FINAL REVIEW AND APPROVAL BY THE CITY ATTORNEY

RECOMMENDATION:

It is recommended that the City Council:

1. Consider adopting Resolution No. 2015-, approving the Phase 2 Final Map of Phase 1C for The Dunes on Monterey Bay Development Project Subdivision (“**EXHIBIT A**”), and;
2. Consider authorizing the City Manager to execute the Final Map on behalf of City subject to final review and approval by the City Attorney.

BACKGROUND:

At the regularly scheduled meeting of May 31, 2005, the City Council adopted Resolution No. 2005-127, certifying the Final Environmental Impact Report for the University Village Development Project.

At the regularly scheduled meeting of May 31, 2005, the City Council adopted Resolution No. 2005-128, approving the General Plan Amendments, Resolution No. 2005-130, for the Specific Plan, Resolution No. 2005-131, for the Tentative Map and Resolution No. 2005-132, Design Review for the regional retail, the Village Promenade and all residential phases for the former University Village Development Project.

At the regularly scheduled meeting of May 31, 2005, the City Council adopted Ordinance No. 2005-07, approving the Zoning Ordinance amendments and Ordinance No. 2005-08, approving the Final Development Agreement.

At the regularly scheduled meeting of May 31, 2005, the City Council adopted Resolution No. 2005-133, approving the Phase 1 Tree Removal Permit.

At the regularly scheduled meeting of October 2, 2007, the City Council adopted Resolution No. 2007-229, approving Phase 1C Final Map for The Dunes on Monterey Bay Development Project Subdivision (Formerly University Village), and approving a Subdivision Improvement Agreement between the City of Marina & Marina Community Partners, LLC (MCP). This Map and Subdivision Improvement Agreement were never executed and recorded with the Monterey County Recorder’s office.

At the regular meeting of August 5, 2008, the City Council adopted Resolution No. 2008-173, approving Public Improvement Agreement between City of Marina (City) and Marina Community Partners LLC (MCP), of Marina, California, to construct public improvements in the Dunes Phase 1C area.

At the regular meeting of October 21, 2008, the City Council adopted Resolution No. 2008-209, certifying an addendum to the Environmental Impact Report EIR SCH No. 2004091167, approving an amended tentative map and conditions of approval, revised site plan for the Dunes Phase 1B and revised Project and Tenant Sign Criteria, subject to conditions.

At the regular meeting of February 18, 2015, the City Council adopted Resolution No. 2015-21, approving the Phase 1C Final Map for The Dunes on Monterey Bay Development Project Subdivision and; authorizing the City Manager to execute the Final Map on behalf of City subject to final review and approval by the City Attorney. This final map is considered the 1st Phase of residential development for Phase 1C.

ANALYSIS:

Shea Homes Limited Partnership (“Developer”) has submitted the 2nd Phase Final Map of the residential development for Phase 1C to the City for review and approval. Staff has reviewed and approved the improvement plans for construction on June 6, 2014. The Developer has also submitted a Public Improvement Agreement and will provide labor and materials and faithful performance bonds required for the recordation of the Phase 2 Final Map for Phase 1C. It has been determined that the Phase 1C Tentative Map Conditions of Approval as amended and presented to the City Council on February 3, 2015 have been met.

A review of water supply availability to serve Phase 2 of the Phase 1C residential development has also been provided by Brezack & Associates Planning (October 19, 2015) (“**EXHIBIT B**”) pursuant to Section II A of the University Villages Settlement Agreement and the required finding is made in the draft Resolution.

The Phase 2 Final Map for Phase 1C is for the second phase/residential for the Dunes Development Project. The Developer proposes to present in a later phase, the mixed use Village Promenade and specific neighborhood improvements such as parks and open space that comprise the remainder of Phase 1.

All required future phased final maps must meet all the appropriate conditions of approval and will be presented to City Council for consideration at a future date.

FISCAL IMPACT:

Should the City Council approve this request, the City requires the developer to provide satisfactory evidence of their ability to complete the public improvements by the posting of labor and material and faithful performance subdivision improvement bonds in an amount of 100% of the City Engineer's estimate of the cost to perform the work.

CONCLUSION:

This request is submitted for City Council consideration and possible action.

Respectfully submitted,

Edrie Delos Santos, P.E.
Associate Engineer, Engineering Division
Community Development Department
City of Marina

REVIEWED/CONCUR:

Theresa Szymanis, AICP CTP
Acting Director
Community Development Department
City of Marina

Layne P. Long
City Manager
City of Marina