

RESOLUTION NO. 2016-36

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA  
APPROVING THE PHASE 3 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 was considered the 1<sup>st</sup> Phase of the three phase residential development for Phase 1C, and;

WHEREAS, at the regular meeting of November 3, 2015, the City Council adopted Resolution No. 2015-129, 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 was considered the 2<sup>nd</sup> Phase of the three phase residential development for Phase 1C, and;

WHEREAS, Shea Homes Limited Partnership (“Developer”) has submitted the 3<sup>rd</sup> Phase Final Map of the residential development for Phase 1C to the City for review and approval. Staff has reviewed the improvement plans for construction and expect approval of the plans the week of March 7<sup>th</sup>. 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 3 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 3 of the Phase 1C residential development has also been provided by Brezack & Associates Planning (dated March 4, 2016) (“**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 3 Final Map for Phase 1C is for the last phase/residential for the Dunes Development Project. The Developer proposes to present in a later phase the mixed use Village Promenade 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 3 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 15<sup>th</sup> day of March 2016, by the following vote:

AYES: COUNCIL MEMBERS: Amadeo, Brown, Morton, O’Connell, Delgado

NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

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Bruce Delgado, Mayor

ATTEST:

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Anita Sharp, 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, AND 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 BLUEWATER COURT, LIGHTHOUSE LANE, SANDY CLAY LANE, 3RD AVENUE, 9TH STREET, PARKVIEW WAY, SEA GLASS AVENUE, SKYVIEW DRIVE, WHARF TERRACE, 10TH STREET, MOONHELL LANE, AND TELEGRAPH BOULEVARD.

WE ALSO HEREBY DEDICATE TO THE CITY OF MARINA FOR OPEN SPACE PURPOSES, IN FEE, THOSE PORTIONS OF SAID LANDS DESIGNATED ON SAID MAP AS PARCEL L, PARCEL M, AND PARCEL N.

PARCELS I, J, AND K 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 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 INSTALLATION, 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), BEING PARCEL I AND PARCEL J FOR PUBLIC STORM DRAINAGE PURPOSES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR THE PURPOSES OF INSTALLATION, 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.

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 - THIRD PHASE**  
BEING A SUBDIVISION OF THE DESIGNATED REMAINDER  
AS SHOWN ON THE FINAL MAP  
FILED IN VOLUME 24 OF CITIES AND TOWNS AT PAGE 44, TRACT 1522  
MONTEREY COUNTY RECORDS.  
CITY OF MARINA, COUNTY OF MONTEREY, STATE OF CALIFORNIA



FEBRUARY 2016

Sheet 1 of 7  
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 \_\_\_\_\_, 2016, BEFORE ME, \_\_\_\_\_,  
A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED, \_\_\_\_\_  
WHO PROVED TO ME ON THE BASIS OF \_\_\_\_\_ 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 IN THE COUNTY OF: \_\_\_\_\_

MY COMMISSION EXPIRES: \_\_\_\_\_

MY COMMISSION NO.: \_\_\_\_\_

## 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 \_\_\_\_\_, 2016, BEFORE ME, \_\_\_\_\_,  
A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED, \_\_\_\_\_  
WHO PROVED TO ME ON THE BASIS OF \_\_\_\_\_ 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 STATEMENT

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 STATEMENT

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 \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) SS

ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016, 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 \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) SS

ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016, 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, AND 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: 12-31-17



**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 \_\_\_\_\_, 2016 AND ACCEPTS ON BEHALF OF THE PUBLIC, IN FEE, SUBJECT TO IMPROVEMENTS, THOSE PORTIONS OF SAID LANDS DESIGNATED ON SAID MAP AS BLUEWATER COURT, LIGHTHOUSE LANE, SANDY CLAY LANE, 3RD AVENUE, 9TH STREET, PARKVIEW WAY, SEA GLASS AVENUE, SKYVIEW DRIVE, WHARF TERRACE, 10TH STREET, MOONSHELL LANE, TELEGRAPH BOULEVARD, PARCEL L, PARCEL M, AND PARCEL N 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 SHEA HOMES LIMITED PARTNERSHIP, A CALIFORNIA LIMITED PARTNERSHIP. 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, 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 19.45 ACRES, MORE OR LESS.

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



**RECORDER'S STATEMENT**

FILED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016, 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 - THIRD PHASE**

BEING A SUBDIVISION OF THE DESIGNATED REMAINDER  
AS SHOWN ON THE FINAL MAP  
FILED IN VOLUME 24 OF CITIES AND TOWNS AT PAGE 44, TRACT 1522  
MONTEREY COUNTY RECORDS.  
CITY OF MARINA, COUNTY OF MONTEREY, STATE OF CALIFORNIA

FEBRUARY 2016



Sheet 2 of 7

JOB # 3089.002

**NOTES**

- 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 - THIRD PHASE" SUBDIVISION IS 19.45± AC. GROSS, CONSISTING OF 128 RESIDENTIAL DEVELOPMENT LOTS, 3 PRIVATE PARK/OPEN SPACE LOTS AND 3 PUBLIC OPEN SPACE LOTS DEDICATED TO THE CITY OF MARINA.
- 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:**

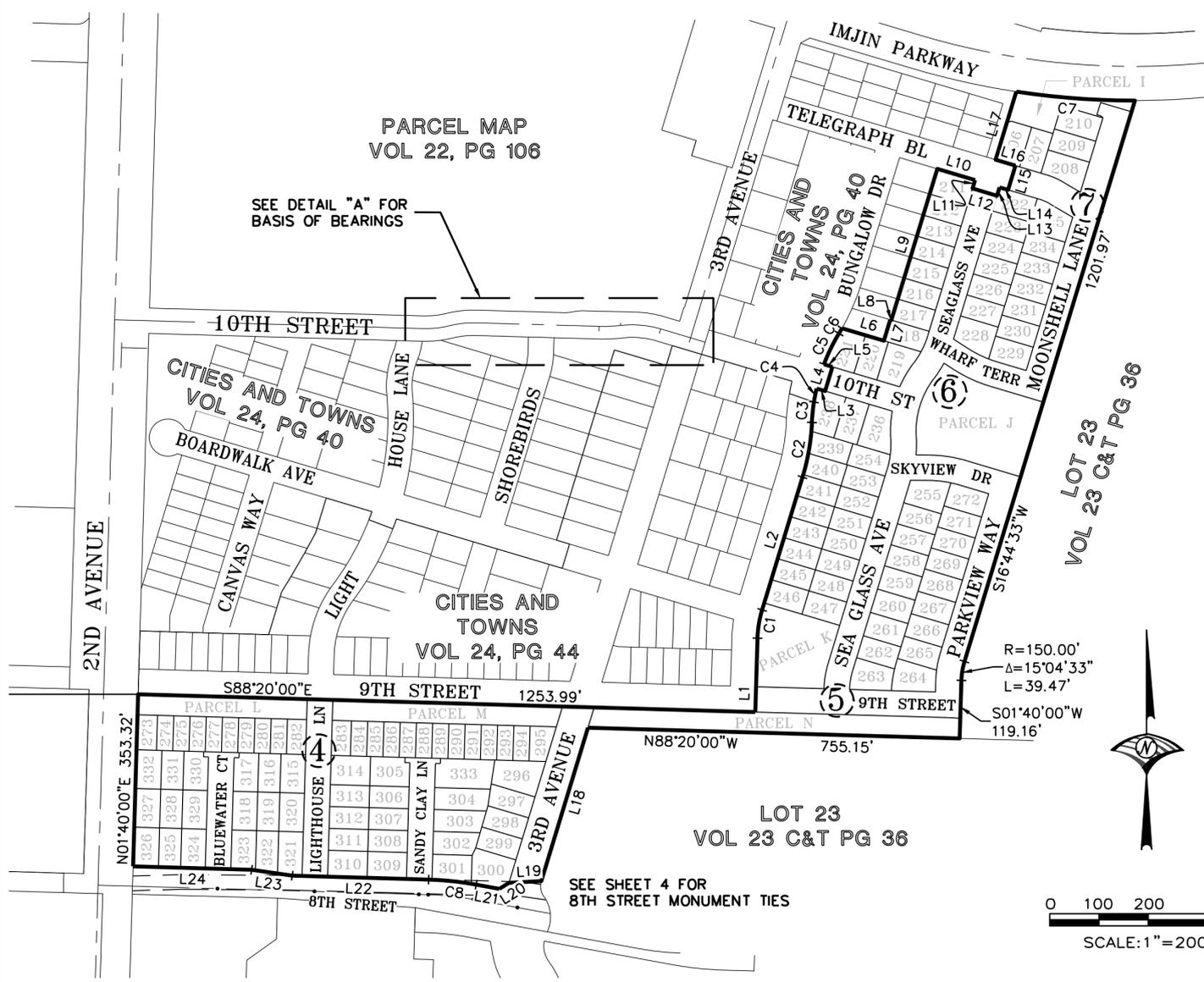
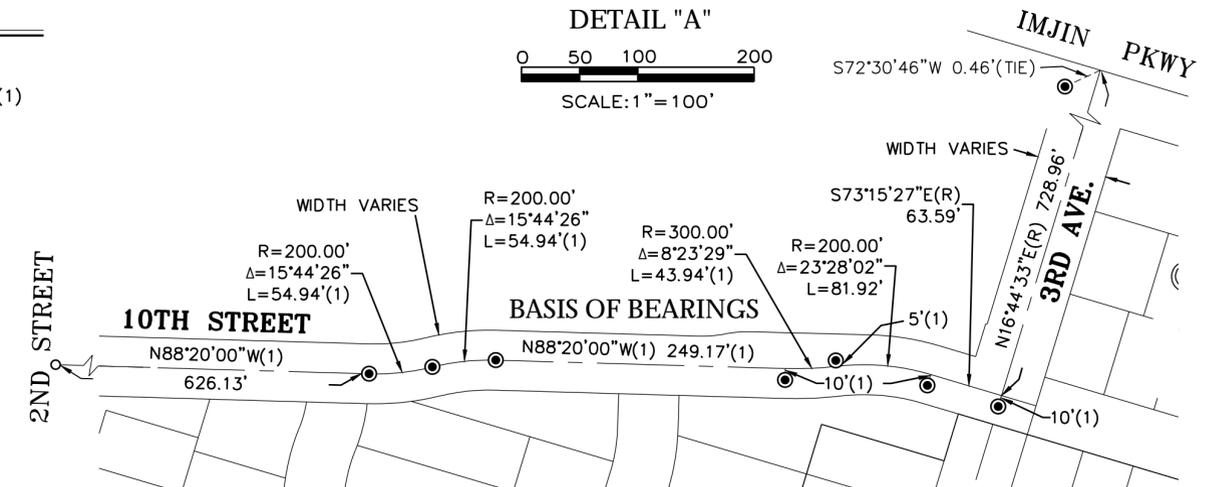
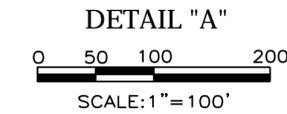
- 22 PARCEL MAPS 106 (PARCEL MAP)
- 24 CITIES AND TOWNS 40 (FINAL MAP)

**LEGEND**

- ⊙ SET STANDARD STREET WELL MONUMENT
- FOUND STANDARD STREET WELL MONUMENT PER (1)
- AC ACRES
- BOUNDARY LINE
- RIGHT-OF-WAY LINE
- LOT LINE
- ADJACENT PROPERTY LINE / EASEMENTS
- CENTERLINE
- - - EASEMENTS
- ESMT EASEMENT
- IEE PRIVATE INGRESS/EGRESS EASEMENT
- OR OFFICIAL RECORDS
- (OA) OVERALL DISTANCE
- PUE PUBLIC UTILITY EASEMENT
- (R) RADIAL BEARING
- UE PRIVATE UTILITY EASEMENT
- SDE STORM DRAIN 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.

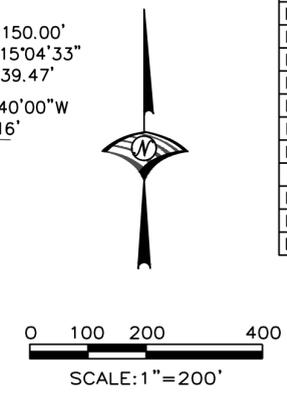


Line Table - This Sheet Only

No.	Bearing	Length
L1	N1°40'00"E	151.67'
L2	N16°44'33"E	284.43'
L3	S73°15'27"E	18.04'
L4	N16°44'33"E	52.00'
L5	N73°15'27"W	18.04'
L6	S73°15'27"E	88.78'
L7	N16°44'33"E	45.00'
L8	S73°15'27"E	2.36'
L9	N16°44'33"E	324.00'
L10	S73°15'27"E	80.00'
L11	S16°44'33"W	17.97'
L12	S73°15'27"E	52.00'
L13	N16°44'33"E	17.97'
L14	S73°15'27"E	17.97'
L15	N16°44'33"E	52.00'
L16	N73°15'27"W	42.10'
L17	N16°44'33"E	145.88'
L18	S16°44'33"W	328.60'
L19	S86°46'30"W	65.97'
L20	S57°53'40"W	23.02'
L21	N79°30'00"W	47.74'
L22	N88°20'00"W	277.11'
L23	N81°43'51"W	83.34'
L24	N88°20'00"W	240.95'

Curve Table - This Sheet Only

No.	Radius	Delta	Length
C1	224.00'	15°04'33"	58.94'
C2	464.00'	14°05'33"	114.12'
C3	392.00'	6°09'08"	42.09'
C4	392.00'	4°08'14"	28.31'
C5	392.00'	10°17'22"	70.40'
C6	464.01'	1°30'46"	12.25'
C7	1570.00'	8°49'57"	242.02'
C8	631.00'	8°50'00"	97.28'

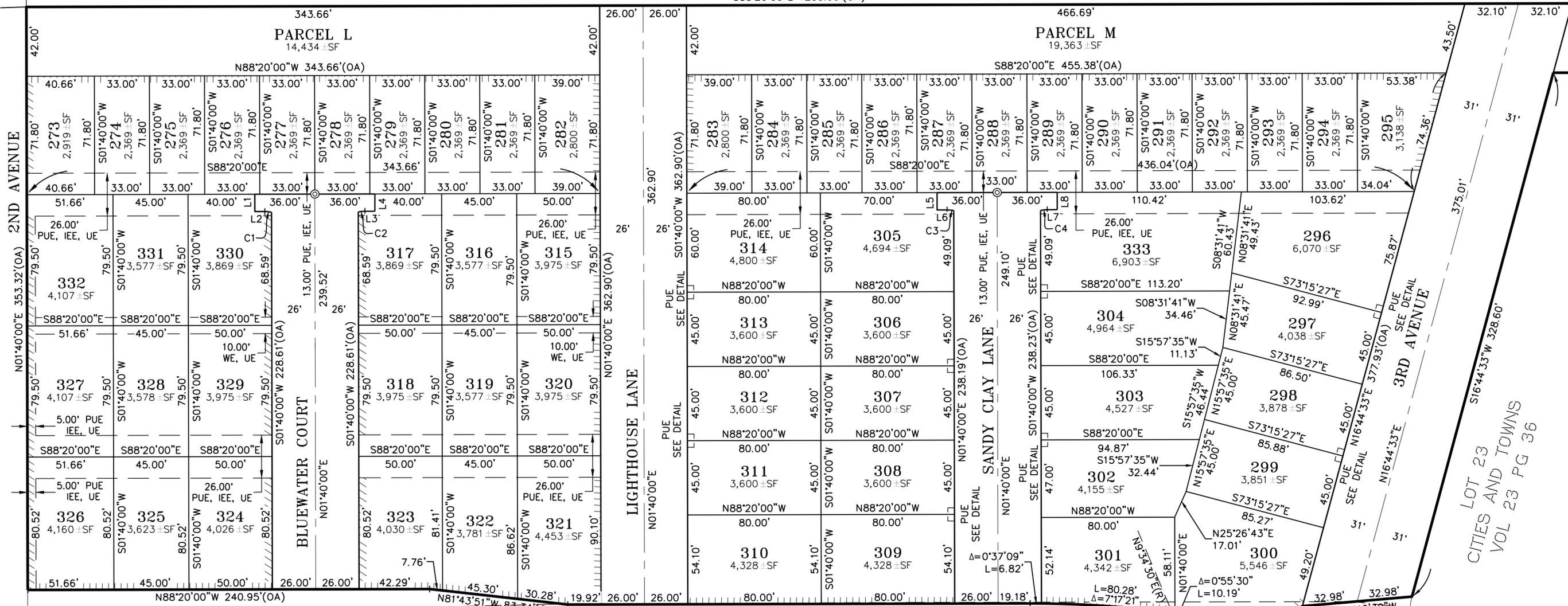


FINAL MAP OF  
TRACT NO. \_\_\_\_\_  
**PHASE 1C, THE DUNES ON  
MONTEREY BAY - THIRD PHASE**  
BEING A SUBDIVISION OF THE DESIGNATED REMAINDER  
AS SHOWN ON THE FINAL MAP  
FILED IN VOLUME 24 OF CITIES AND TOWNS AT PAGE 44, TRACT 1522  
MONTEREY COUNTY RECORDS.  
CITY OF MARINA, COUNTY OF MONTEREY, STATE OF CALIFORNIA

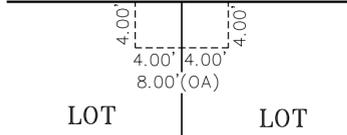
**FEBRUARY 2016**  
Sheet 3 of 7  
JOB # 3089.002

9TH STREET

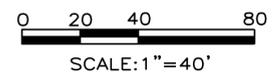
SEE SHEET 5



PUBLIC RIGHT-OF-WAY



DETAIL - NTS  
TYPICAL PUE DETAIL  
FOR LOTS 296-299, 302-304,  
306-309, 311-314, 333



Curve Table - This Sheet Only

No.	Radius	Delta	Length
C1	19.50'	11°50'13"	4.03'
C2	19.50'	11°50'13"	4.03'
C3	19.50'	11°50'13"	4.03'
C4	19.50'	11°50'13"	4.03'

Line Table - This Sheet Only

No.	Bearing	Length
L1	S1°40'00"W	10.50'
L2	S88°20'00"E	6.00'
L3	N88°20'00"W	6.00'
L4	S1°40'00"W	10.50'
L5	N1°40'00"E	10.50'
L6	N88°20'00"W	6.00'
L7	N88°20'00"W	6.00'
L8	S1°40'00"W	10.50'

LEGEND

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

FINAL MAP OF  
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JOB # 3089.002

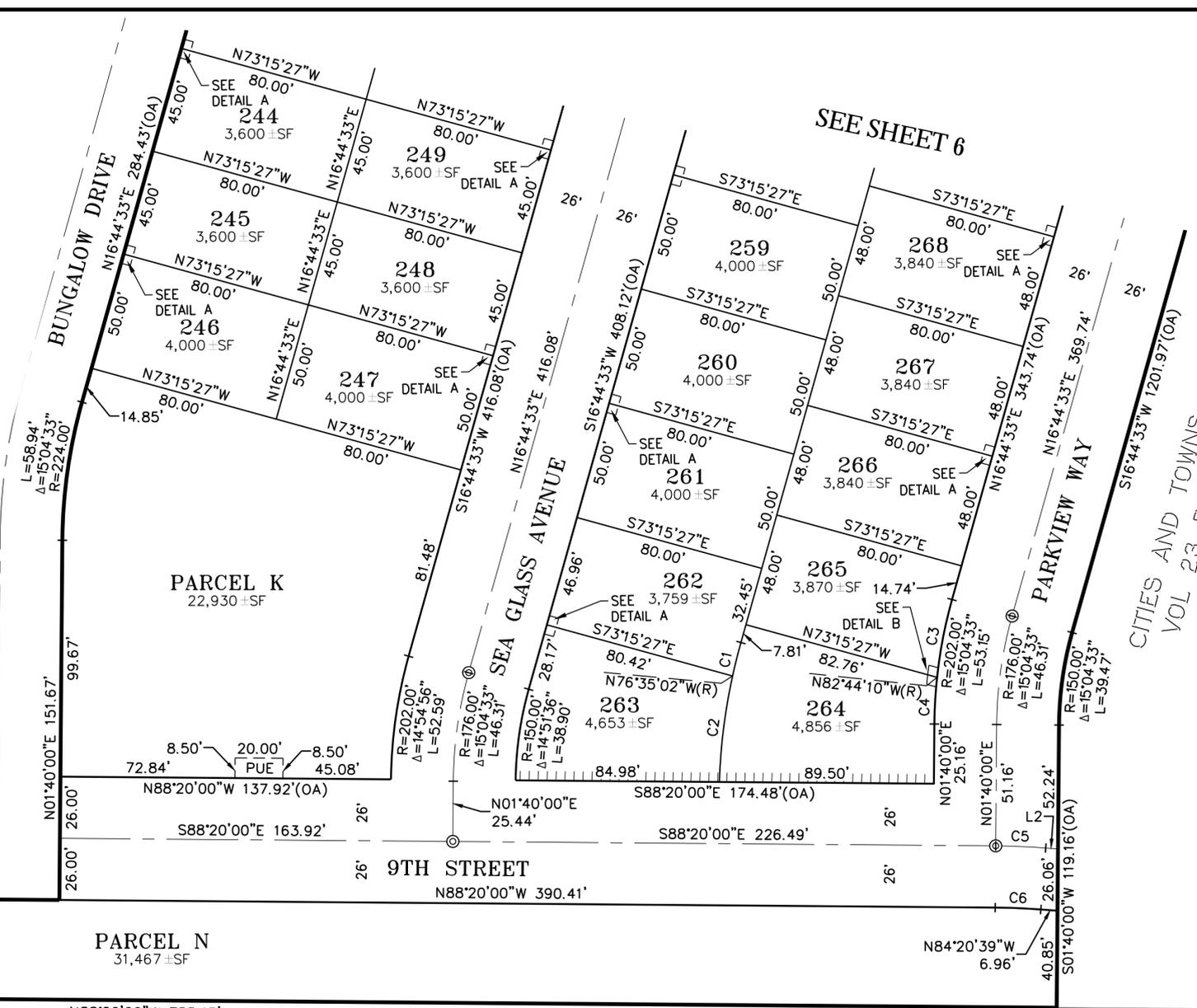
**LEGEND**

- ⊙ SET STANDARD STREET WELL MONUMENT
- ⊙ FOUND STANDARD STREET WELL MONUMENT PER (1)
- AC ACRES
- BOUNDARY LINE
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- - - EASEMENTS
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- (R) RADIAL BEARING
- UE PRIVATE UTILITY EASEMENT
- SDE STORM DRAIN EASEMENT
- (4) SHEET NUMBER REFERENCE

Line Table - This Sheet Only		
No.	Bearing	Length
L3	S73°15'27"E	4.04'
L4	S73°15'27"E	4.07'
L5	S73°15'27"E	4.05'

Curve Table - This Sheet Only			
No.	Radius	Delta	Length
C1	250.00'	3°19'35"	14.51'
C2	250.00'	10°20'01"	45.09'
C3	202.00'	9°28'43"	33.42'
C4	202.00'	5°35'50"	19.73'
C5	300.00'	3°59'21"	20.89'
C6	274.00'	3°59'21"	19.08'
C7	206.00'	1°07'32"	4.05'
C8	202.00'	1°08'54"	4.05'
C9	202.00'	1°09'08"	4.06'
C10	206.00'	1°07'45"	4.06'

CITIES AND TOWNS  
VOL 24 PG 44



SEE SHEET 6

CITIES AND TOWNS  
VOL 23 PG 36

**9TH STREET**

S88°20'00"E 1253.99'(OA)

PARCEL N  
31,467 ± SF

CITIES AND TOWNS  
VOL 23 PG 36

FINAL MAP OF  
TRACT NO. \_\_\_\_\_  
**PHASE 1C, THE DUNES ON  
MONTEREY BAY - THIRD PHASE**

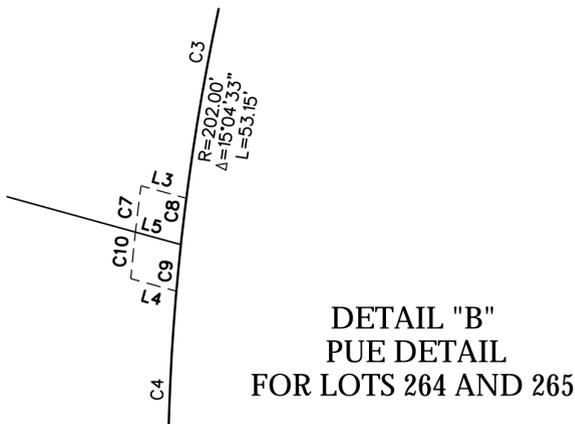
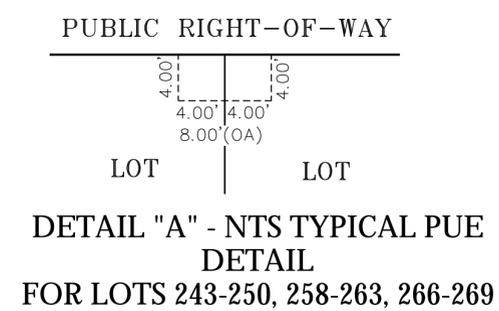
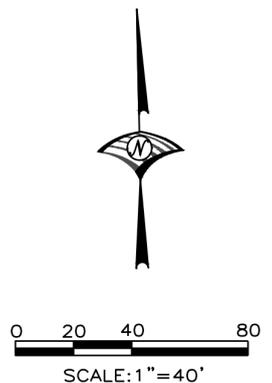
BEING A SUBDIVISION OF THE DESIGNATED REMAINDER  
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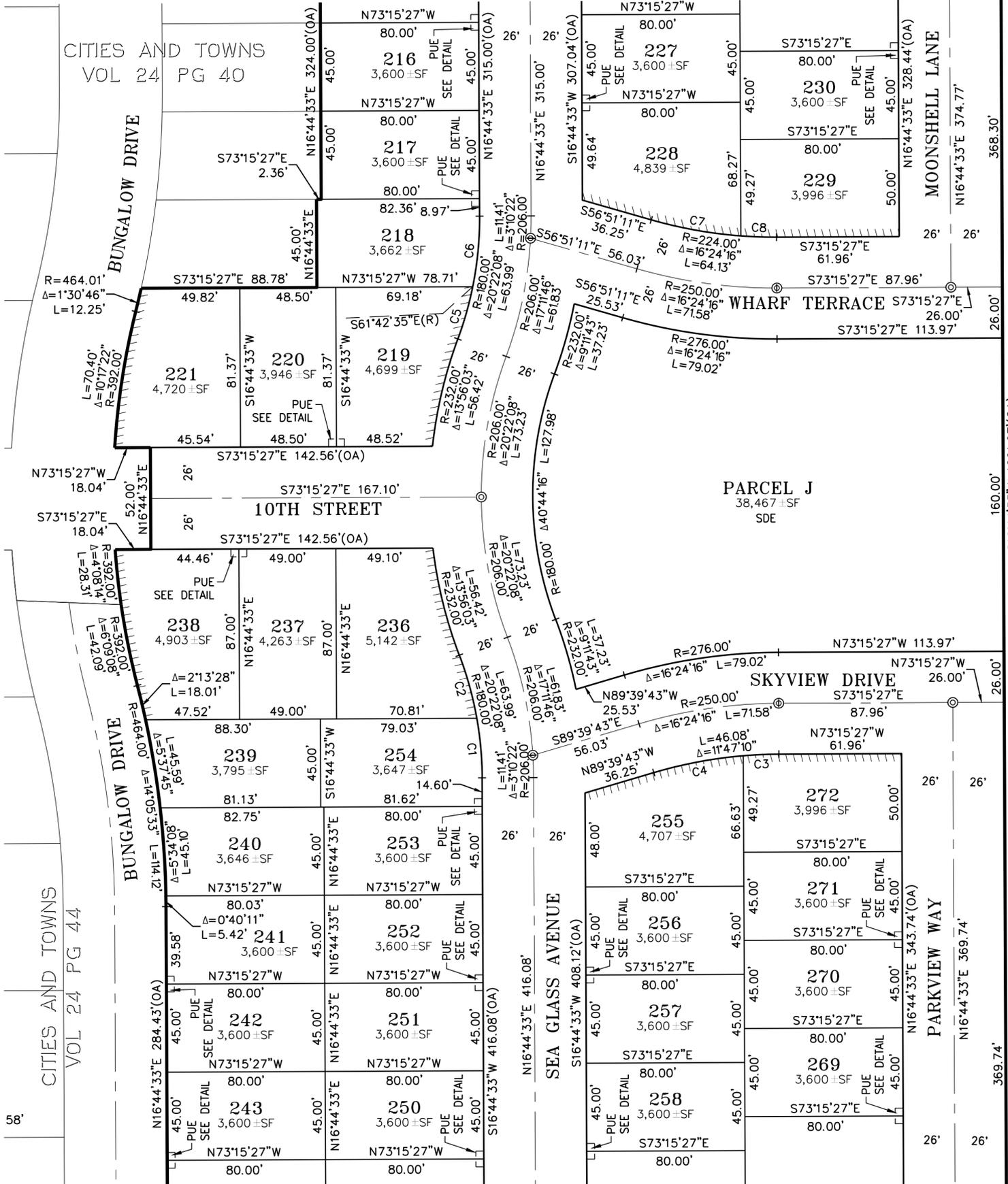
Sheet 5 of 7  
JOB # 3089.002

SEE SHEET 4



SEE SHEET 7

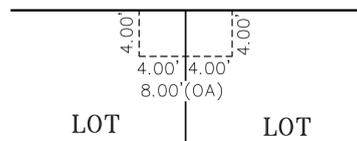
CITIES AND TOWNS  
VOL 24 PG 40



**LEGEND**

- ⊙ SET STANDARD STREET WELL MONUMENT
- ⊙ FOUND STANDARD STREET WELL MONUMENT PER (1)
- AC ACRES
- BOUNDARY LINE
- RIGHT-OF-WAY LINE
- LOT LINE
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- EASEMENTS
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- SDE STORM DRAIN EASEMENT
- (4) SHEET NUMBER REFERENCE

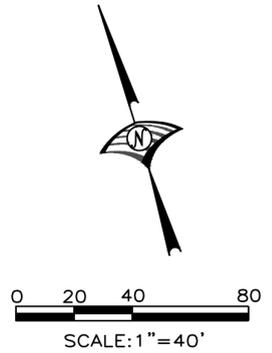
**PUBLIC RIGHT-OF-WAY**



**DETAIL - NTS TYPICAL PUE DETAIL  
FOR LOTS 215-220, 227-228, 230-231  
237- 238, 241-244, 249-254, 256-259, 268-271**

Curve Table - This Sheet Only

No.	Radius	Delta	Length
C1	180.00'	9°43'26"	30.55'
C2	180.00'	10°38'42"	33.44'
C3	224.00'	4°37'05"	18.05'
C4	224.00'	11°47'10"	46.08'
C5	180.00'	8°49'15"	27.71'
C6	180.00'	11°32'52"	36.28'
C7	224.00'	11°47'10"	46.08'
C8	224.00'	4°37'05"	18.05'



CITIES AND TOWNS  
VOL 23 PG 36

**FINAL MAP OF  
TRACT NO. \_\_\_\_\_  
PHASE 1C, THE DUNES ON  
MONTEREY BAY - THIRD PHASE**

BEING A SUBDIVISION OF THE DESIGNATED REMAINDER  
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CITY OF MARINA, COUNTY OF MONTEREY, STATE OF CALIFORNIA

**FEBRUARY 2016**

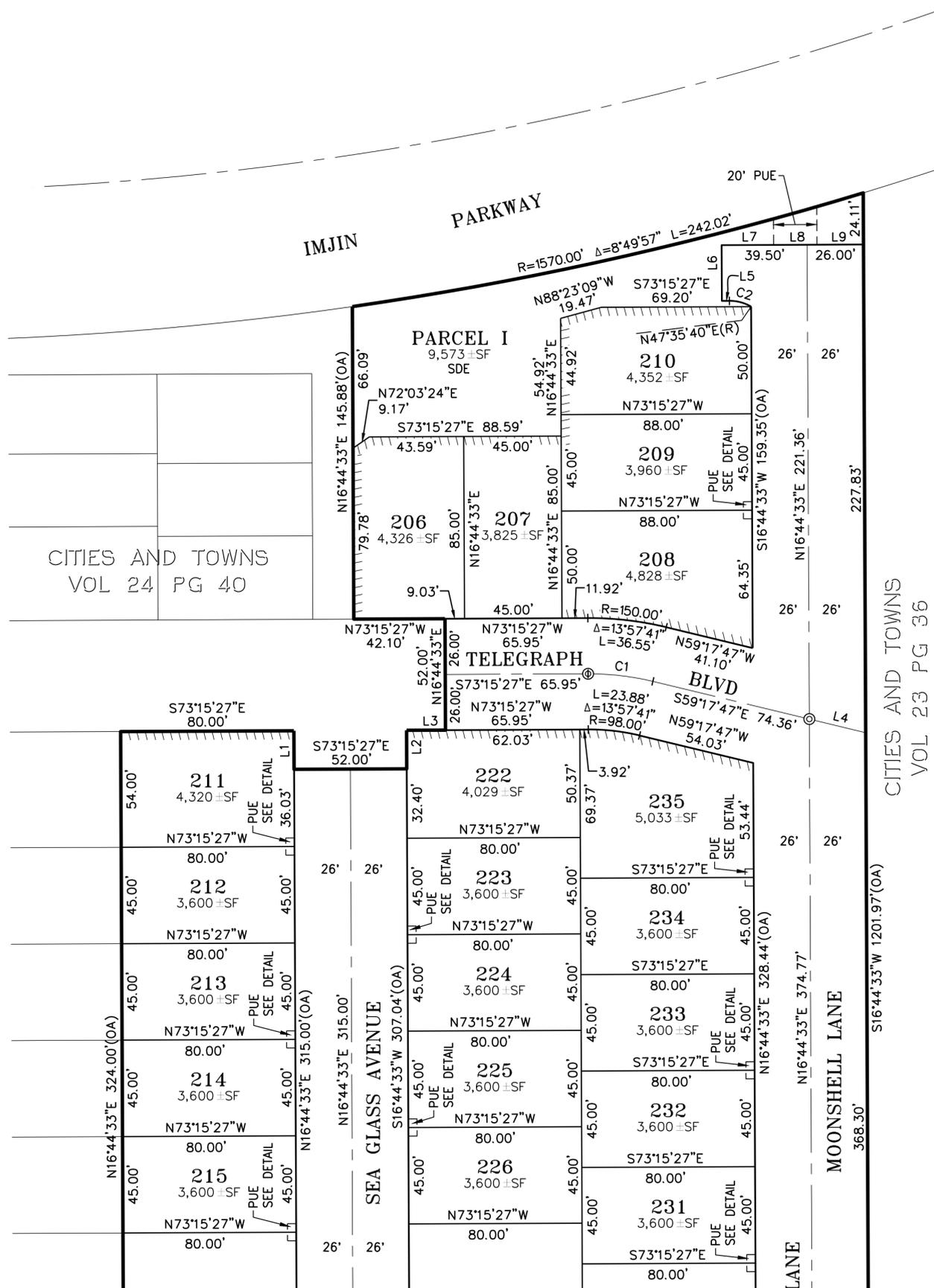
Sheet 6 of 7

JOB # 3089.002

SEE SHEET 5

CITIES AND TOWNS  
VOL 24 PG 44

58'



CITIES AND TOWNS  
VOL 24 PG 40

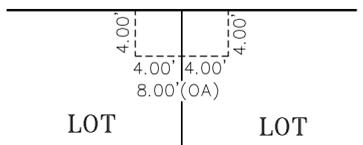
CITIES AND TOWNS  
VOL 23 PG 36

SEE SHEET 6

**LEGEND**

- ⊙ SET STANDARD STREET WELL MONUMENT
- ⊙ FOUND STANDARD STREET WELL MONUMENT PER (1)
- AC ACRES
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- (4) SHEET NUMBER REFERENCE

**PUBLIC RIGHT-OF-WAY**



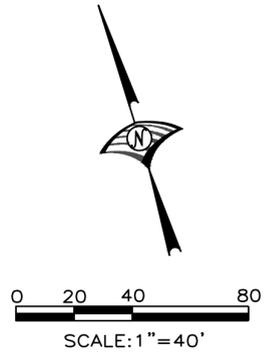
**DETAIL - NTS  
TYPICAL PUE DETAIL  
FOR LOTS 208-209,  
211-216, 223-226, 230-235**

Line Table - This Sheet Only

No.	Bearing	Length
L1	S16°44'33"W	17.97'
L2	N16°44'33"E	17.97'
L3	S73°15'27"E	17.97'
L4	S59°17'47"E	26.79'
L5	S73°15'27"E	3.50'
L6	S16°44'33"W	26.00'
L7	N73°15'47"W	24.00'
L8	N73°15'47"W	20.00'
L9	N73°15'47"W	21.50'

Curve Table - This Sheet Only

No.	Radius	Delta	Length
C1	124.00'	13°57'41"	30.22'
C2	19.50'	30°51'07"	10.50'



FINAL MAP OF  
TRACT NO. \_\_\_\_\_  
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**FEBRUARY 2016**  
Sheet 7 of 7  
JOB # 3089.002

March 4, 2016

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

Subject: Water Review – MCP Phase 3 of 1C

Dear Mr. Stump:

We have completed a review of the background materials provided for the proposed Project. We understand that this review was required as a condition of approval of the tentative map for the proposed Project. This letter provides the results of our review.

**Introduction:**

The City of Marina (City) is currently reviewing conditions for the final map for Phase 3 of 1C of The Dunes on Monterey Bay Project (proposed Project), formerly known as the University Villages Project. The Applicant is Shea Homes and the proposed Project is located in the Dunes Specific Plan Area.

Brezack & Associates Planning, LLC, (B&AP) was contracted by Shea Homes to prepare a reevaluation and letter review for the consistency of the proposed Project to the terms of the Settlement Agreement. The purpose of the review is to determine the accuracy of the water demands projected for the proposed Project, based on typical Marina Coast Water District (MCWD) 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.

B&AP previously prepared water demand estimates for the City that are used in this reevaluation. Water demand reviews for Phases 1 and 2 of 1C were completed in February and October 2015 respectively.

**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 uses, to facilitate an accounting of the potential future use of recycled water and potable water conservation resulting therefrom.

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

Table 1 presents a list of the residential land uses planned for construction in the proposed

Project. The proposed Project is characterized as completely residential, small lot, subdivision.

**Table 1: Proposed Project Description – Phase 3 of 1C**

Product Type	Numbers of Units	Approximate Lot Area (Square-feet)
Duets	23	2,250
Small Lot Alley	18	3,088
Small Lot Standard	87	3,800
TOTAL	128	

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.

The City Adopted Dunes Specific Plan EIR requires the following:

- 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.

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

- Total interior potable water demand of approximately 25.6 AFY
- Total residential exterior water demand of approximately 7.2 AFY
- Total project potable water demand 32.8 AFY

Parks and common area water demands of 1.7 AFY will be irrigated with recycled water when available. Total water project water use is 34.5 AFY of potable and recycled water.

A more detailed presentation of the estimated water demands for the proposed Project is in Table 2. It is based on water 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 and the Settlement Agreement. These assumptions result in a total estimated potable water demand for the proposed project of 32.8 AFY.

**Table 2: Shea Homes Phase 3 of 1C Water Demand Estimates**

Product Type	No. Units	Interior Water Demand			Exterior Water Demand								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			Total Exterior Demand (AFY)
Duets	23	1.5	0.116	2.7	2250	0.05	40%	40%	0.017	60%	0.020	0.036	0.8	0.152	3.5
Small Lot Alley	18	2.0	0.155	2.8	3088	0.07	40%	30%	0.017	70%	0.032	0.049	0.9	0.203	3.7
Small Lot Standard	87	3.0	0.232	20.2	3800	0.09	40%	50%	0.035	50%	0.028	0.063	5.5	0.295	25.6
<b>Total</b>	<b>128</b>	<b>331.5</b>		<b>25.6</b>									<b>7.2</b>		<b>32.8</b>

Product Type	No. Units	Exterior Water Demand								Total Exterior Demand (AFY)	Projected Unit Demand (AFY/Unit)	Total 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			
Parcel I	1	9573	0.22	40%	60%	0.105	40%	0.056	0.162	0.16	0.162	0.2
Parcel J	1	36467	0.84	40%	60%	0.402	40%	0.214	0.616	0.62	0.616	0.6
Parcel K	1	22930	0.53	40%	60%	0.253	40%	0.135	0.387	0.39	0.387	0.4
Parcel L	1	14434	0.33	40%	60%	0.159	40%	0.085	0.244	0.24	0.244	0.2
Parcel M	1	19363	0.44	40%	60%	0.213	40%	0.114	0.327	0.33	0.327	0.3
<b>TOTAL PARKS AND COMMON</b>												<b>1.7</b>

**Baseline Conditions:**

On May 17, 2005 the City approved an allocation of 593 AFY in 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 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. The City approved to allocate 593 AFY of potable water to serve the MCP Development.

The Settlement Agreement provides the following:

- Requirements for the use of water conservation BMPs consistent with Marina Coast Water District requirements that have been applied to all developments within the Dunes Specific Plan Area.
- Acknowledgement that the City’s adoption of Resolution 2005-129 allocates 593 AFY to the UV Specific Plan Area and the City’s determination of an adequate water supply for the project.
- Requirements for 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.

Potable water remains in use for landscape irrigation until recycled water becomes available to the proposed Project.

**Running Tally:**

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

- Community Hospital of the Monterey Peninsula (CHOMP), Marina Campus
- Veterans Administration Monterey Health Care Center
- Springhill Suites (Marriott) Hotel
- Phase 1A (Shops at Marina Village Retail Center)
- Planning Area B1 (Cinemark Theater and Casual Dining Project)
- Phase 1 of 1C
- Phase 2 of 1C



Recycled water is not currently available, but non-residential landscape irrigation demands will be converted to recycled water use when recycled water becomes available. As noted in Table 3, when recycled water becomes available, those water demands will be removed from the potable water allocation.

The effect of redevelopment to the original water demand estimated in the Specific Plan has been approved allocations 184.4 AFY of water demand, as presented in Table 3. Approximately 31% of the Specific Plan allocation has been constructed or approved. Approximately 360.4 AFY of water remains available for proposed or future projects within the specific plan area. When recycled water becomes available, 48 AFY of water will remain from the Specific Plan allocation of 593 AFY.

#### 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 September 30, 2015. That consumption report presents aggregated water demands indicating that a range of twelve percent of allocated supply was used in the City of Marina – Ord Community Area over the past ten years. Therefore, the water demand of existing developments has not exceeded 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.

MCWD is in the process of developing its 2015 Urban Water Management Plan Update. The 2015 UWMP Update is required to be submitted to the California Department of Water Resources by July 2016.

#### 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. Approximately 31% of the Specific Plan water allocation has been constructed or approved. Approximately 60% of the Specific Plan water allocation or 360 AFY will be available for future or proposed development when recycled water is made available. Approximately 48 AFY of the Specific Plan water allocation will remain at project completion with the implementation of recycled water.

## References

Marina Coast Water District, June 2011, 2010 Urban Water Management Plan, Prepared by Schaaf & Wheeler

Water Conservation Act of 2009, California Water Code Section 10608

February 12, 2016

Item No. **11b**

Honorable Mayor and Members  
of the Marina City Council

City Council Meeting  
of March 15, 2016

**RECOMMENDATION TO CONSIDER ADOPTING RESOLUTION NO. 2016-, APPROVING THE PHASE 3 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. 2016-. approving the Phase 3 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 was considered the 1<sup>st</sup> Phase of the three phase residential development for Phase 1C.

At the regular meeting of November 3, 2015, the City Council adopted Resolution No. 2015-129, 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 was considered the 2<sup>nd</sup> Phase of the three phase residential development for Phase 1C.

**ANALYSIS:**

Shea Homes Limited Partnership (“Developer”) has submitted the 3<sup>rd</sup> Phase Final Map of the residential development for Phase 1C to the City for review and approval Staff has reviewed the improvement plans for construction and expect approval of the plans the week of March 7<sup>th</sup>. 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 3 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 3 of the Phase 1C residential development has also been provided by Brezack & Associates Planning (dated March 4, 2016) (“**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 3 Final Map for Phase 1C is for the last phase/residential for the Phase 1 Dunes Development Project. The Developer proposes to present in a later phase the mixed use Village Promenade 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.

Staff would like to highlight page 1 of the Final Map under Owner’s Statement the second paragraph states: “We also hereby dedicate to the City of Marina for open space purposes, in fee, those portions of said lands designated on said map as parcel L, parcel M, and parcel N. This is the additional 42 foot wide corridor adjacent to 9<sup>th</sup> avenue that was previously part of the multimodal corridor. This can be seen on sheet 3 of 7. This open space will be part of the trail connection along 9<sup>th</sup> avenue.

**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,

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

**REVIEWED/CONCUR:**

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Nourdin Khayata, P.E.  
Acting City Engineer  
City of Marina

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Taven Kinison Brown  
Acting Director Community Development Department  
City of Marina

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Layne P. Long  
City Manager  
City of Marina