



## City of Rohnert Park Planning Commission Report

**DATE:** December 14, 2017

**ITEM NO:** 8.4

**SUBJECT:** PLDA17-0001 - Third Amendment to the Development Agreement between the City of Rohnert Park, SOMO Village LLC and SOMO Village Commercial LLC for development of property located at Valley House Drive and Bodway Parkway.

**LOCATION:** Valley House Drive and Bodway Parkway (APN 046-051-040, 046-051-042, and 046-051-045)

**REQUEST:** Continue a Public Hearing on Amendments to Sections 4.07 and 4.11B of the Development Agreement

**APPLICANT:** Eric Reid, SOMO Village LLC

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**Background:** In August 2010, Sonoma Mountain Village was approved as a Planned Development for a mixed-use community on the 175 acres former Hewlett Packard/Agilent technology campus. The approval included a Development Agreement (DA). The DA guarantees a description of the development project indicating the permitted uses of the property, density, building height and size, phasing of development, provisions for the reservation and dedication of land for public purposes and additional information that may be required for development of the property. The DA contains specific requirements and time lines that must be adhered to by the developer. During the required 2015 review of the DA, it became apparent that the developer had missed a required deadline contained in Section 4.07, related to construction of a portion of the SMART multi-use path. It was also apparent that the developer was likely to miss a required deadline contained in Section 4.11(B) related to the construction of an all-weather soccer field. This constituted a technical breach of the DA.

Staff and the City Attorney's office have been working with the developer through a series of letter agreements to bring the project back into compliance with the DA. Since 2015, the Developer has worked with SMART to construct the multi-use path and has deposited funds with the City to guarantee the construction of the soccer field. The various letter agreements contemplate an amendment to the DA, which will formalize the changed conditions, extend the deadline for construction of the soccer field and bring the Developer back into compliance.

While staff, the City Attorney and the Developer have been working closely together to complete the amendment to the DA, there are still several technical issues that need to be clarified and the amendment is not yet ready for Planning Commission review. Staff is recommending continuing the noticed public hearing until these technical issues can be resolved. Staff anticipates the item will be ready for Commission review early in 2018.

**Environmental Determination:** An Environmental Impact Report (EIR) was certified by the City Council when it considered the project entitlements at its meeting of August 24, 2010. The proposed DA amendment will not result in substantial changes in the project or new information of substantial importance of the kind that would require additional environmental review pursuant to Section 15162 of the CEQA Guidelines.

**Public Notification:** This item has been duly noticed by publication in the Community Voice for Amendments to the Sonoma Mountain Village Development Agreement and posted at the prescribed locations in Rohnert Park. Property owners within 300 feet of the project were mailed notices of the proposed application. Staff is recommending continuing the noticed public hearing until the final language of the amendment is available.

**Staff Recommendation:** Staff recommends tabling the noticed public hearing until the proposed amendments are ready for Planning Commission review.

APPROVALS:



Mary Grace Pawson, Director of Development Services

12/7/2017

Date