

## **RESOLUTION NO. 2014-036**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK, CALIFORNIA, APPROVING A TENTATIVE PARCEL MAP TO ALLOW THE SUBDIVISION OF PROPERTY LOCATED SOUTH OF ROHNERT PARK EXPRESSWAY, EAST OF J SECTION, AND NORTH OF COPELAND CREEK (APN 047-131-026 AND 047-131-027)**

**WHEREAS**, the applicant, University District LLC, filed Planning Applications proposing a General Plan Amendment (PL2012-043), Specific Plan revision (PL2012-044), Tentative Map (PL2013-009), Tentative Parcel Map (PL2012-047), Development Agreement (PL2012-048), and related applications and approval of an Addendum to the Final Environmental Impact Report ("EIR") (PL2012-045) in connection with the proposed University District Specific Plan ("UDSP") Project located south of Keiser Avenue, west of Petaluma Hill Road, and north of Copeland Creek (APNs 045-253-007, 045-253-009 through -012, 045-253-018, 045-262-001 through -004, 047-131-019, and 047-131-024 through -027 (the "Project"), in accordance with the City of Rohnert Park Municipal Code ("RPMC"); and

**WHEREAS**, in conjunction with Application No. PL2003-054TSM, the applicant prepared a tentative parcel map for the University District UD LLC property located south of Rohnert Park Expressway, east of J Section, and north of Copeland Creek (APN 047-131-026 and 047-131-027) as provided in the Proposed Tentative Parcel Map attached to this Resolution as **Exhibit A**; and

**WHEREAS**, on March 13, 2014, the Planning Commission held a public hearing at which time interested persons had an opportunity to testify either in support or opposition to the proposal; and

**WHEREAS**, at the March 13, 2014 hearing, the Planning Commission reviewed and considered the information contained in Planning Application No. PL2012-047TPM for the proposed Tentative Parcel Map for the property and recommended approval by the City Council; and

**WHEREAS**, the City Council has reviewed and approved the Addendum to the Final EIR prepared for the Project; and has otherwise carried out all requirements for the Project pursuant to the California Environmental Quality Act ("CEQA"); and

**WHEREAS**, pursuant to California State Law and the RPMC, public hearing notices were mailed to all property owners within an area exceeding a three hundred foot radius of the subject property and a public hearing was published for a minimum of 10 days prior to the first public hearing in the Community Voice; and

**WHEREAS**, on April 8, 2014, the City Council held a public hearing at which time interested persons had an opportunity to testify either in support or opposition to the proposal; and

**WHEREAS**, at the City Council has reviewed and considered the information contained in Planning Application No. PL2012-047TPM for the proposed Tentative Parcel Map for the property; and

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Rohnert Park makes the following findings, determinations and recommendations with respect to the proposed Tentative Parcel Map for the property:

**Section 1.** The above recitations are true and correct.

**Section 2.** The City Council approved the Addendum to the Final EIR for this Project in Resolution No. 2014-032, approved on April 8, 2014 concurrently with the City Council's approval of this Resolution.

**Section 3.** Findings Regarding Tentative Parcel Map. The City Council, in reviewing Planning Application No. PL2012-047TPM, hereby makes the following findings concerning the Tentative Parcel Map pursuant to Government code section 66474:

1. *The proposed map, and its design and improvements, are consistent with the general plan and any applicable specific plan, any policy or guideline implementing the general plan (including the city's design guidelines), or other applicable provisions of this code.*

**Criteria Satisfied.** The proposed Tentative Parcel Map is consistent with the General Plan designations for the area, as well as the specific plan that applies to the property. The proposed tentative map will implement the General Plan in that it would increase the City's existing housing stock.

The proposed tentative map is consistent with the revised University District Specific Plan as it proposes to subdivide the property according to its requirements related to residential housing locations, public improvements, open space and related amenities. The Tentative Parcel Map depicts the specific residential parcels consistent with those in the Specific Plan.

2. *The site is physically suitable for the type of development.*

**Criteria Satisfied.** The tentative map reflects the specific plan for this site, which is physically suitable for the proposed development. No major geologic hazards have been reported on the site or other limited conditions that would render it unsuitable for residential and public development.

3. *The site is physically suitable for the proposed density of development.*

**Criteria Satisfied.** The site is of sufficient size and shape and appropriately shown in the Specific Plan to allow the proposed density of development. The subdivision has been designed to accommodate the future development of residential units, taking into consideration the shape and topography of the site. This development is consistent with the land use designations provided for in the Specific Plan.

4. *The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, absent a statement of overriding conditions.*

**Criteria Satisfied.** An Environmental Impact Report (EIR) for the University District Specific Plan Project (State Clearinghouse number 2003112011) has been prepared and approved which shows potential impacts related to the development of the site with the proposed uses. No significant unavoidable impacts related to existing habitats were identified. The Final EIR for this Project includes adoption of associated CEQA Findings, Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Program. The contents of the Final EIR is incorporated herein by this reference. An Addendum to this EIR has been prepared and approved which concludes that the proposed changes to the project and the studies submitted to the City by the project applicant, the project as proposed to be changed would result in any significant effects not disclosed in the 2006 EIR.

5. *The design of the subdivision or the type of improvements will not cause serious public health problems.*

**Criteria Satisfied.** The design of the project is not expected to have negative impacts on the health or well-being of project residents or occupants of the surrounding land uses. The design of the Tentative Parcel Map is in conformance with the City's General Plan, Zoning Ordinance, and Subdivision Ordinance. The Tentative Parcel Map does not include improvements and further subdivision of the site would be required to develop this site, therefore public health problems would not occur with this map.

6. *The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property with the proposed subdivision, absent alternative, equivalent easements.*

**Criteria Satisfied.** The project will respect all existing easements, and any new easements required by the project have been made conditions of the map approval.

7. *Any proposed phases and their proposed sequence of construction are identified on the submitted map.*

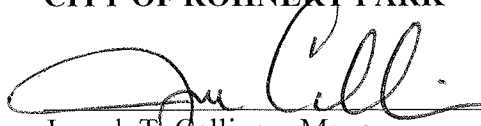
**Criteria Satisfied.** There are no proposed phases or sequenced construction planned with this Tentative Parcel Map.

**Section 4.** A duly noticed public hearing on the proposed Tentative Parcel Map was held on April 8, 2014.

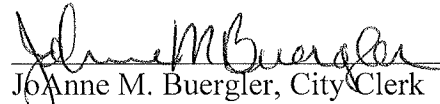
**NOW, THEREFORE, BE IT RESOLVED,** that the City Council of the City of Rohnert Park does hereby approve Application No. PL2012-047TPM for a tentative parcel map to allow the subdivision of property located south of Rohnert Park Expressway, east of J Section, and north of Copeland Creek (APN 047-131-026 and 047-131-027), subject to the recommended conditions of approval in **Exhibit B**, which is attached hereto and incorporated by this reference.

**DULY AND REGULARLY ADOPTED** on this 8th day of April, 2014.

**CITY OF ROHNERT PARK**

  
Joseph T. Callinan, Mayor

**ATTEST:**

  
JoAnne M. Buergler, City Clerk



BELFORTE: AYE MACKENZIE: AYE STAFFORD: AYE AHANOTU: AYE CALLINAN: AYE  
AYES: ( 5 ) NOES: ( 0 ) ABSENT: ( 0 ) ABSTAIN: ( 0 )

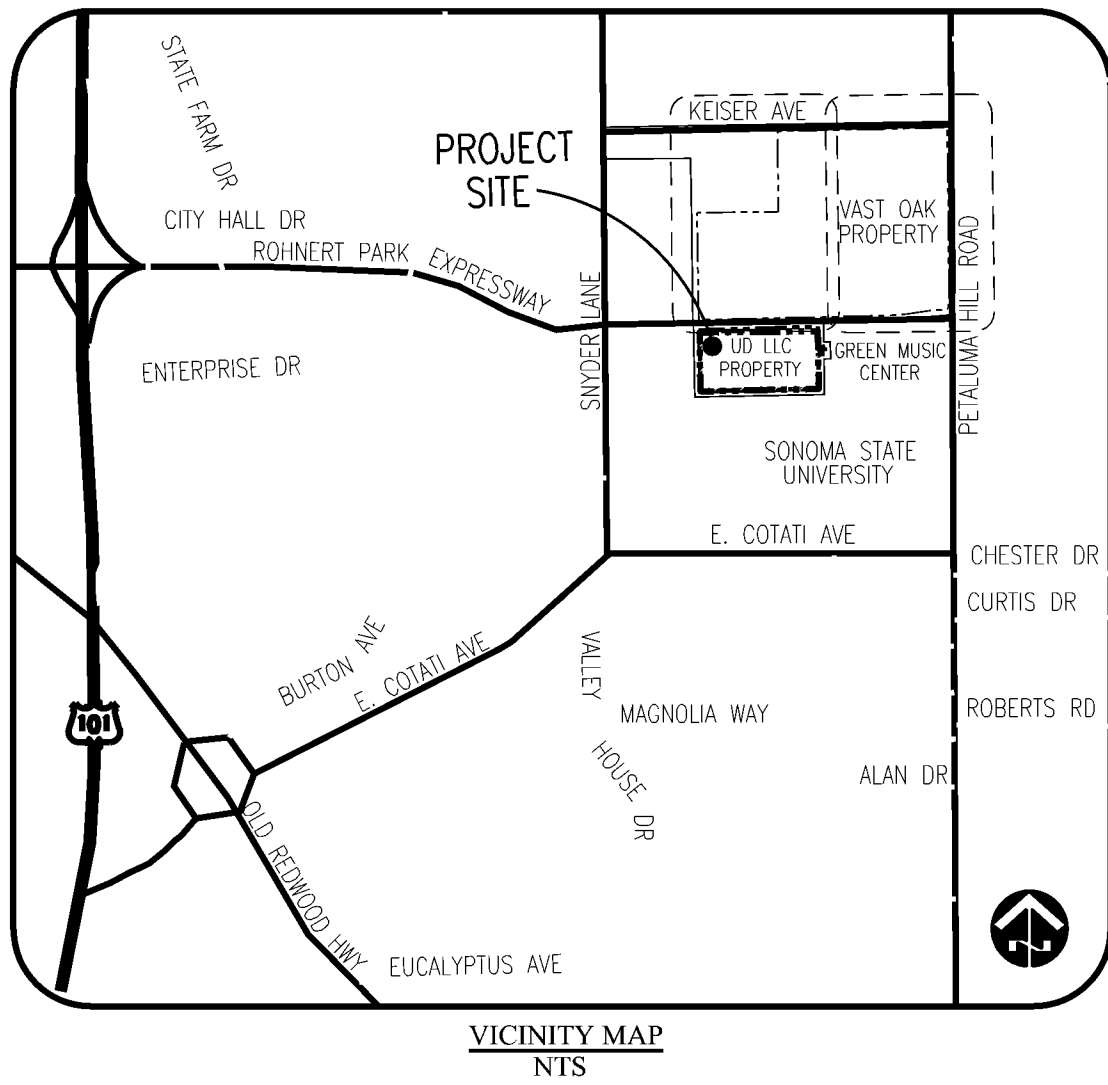
**EXHIBIT A**

**PROPOSED TENTATIVE PARCEL MAP**

TENTATIVE PARCEL MAP  
UNIVERSITY DISTRICT - UDLLC PROPERTY  
ROHNERT PARK, CALIFORNIA  
JANUARY 2014

GENERAL NOTES

1. OWNER :  
UNIVERSITY DISTRICT LLC  
CONTACT: KEVIN POHLSON (925) 743-8000
2. AGENT / SUBDIVIDER:  
BROOKFIELD HOMES  
500 LA GONDA WAY, SUITE 100  
DANVILLE, CA 94526  
CONTACT: KEVIN POHLSON (925) 743-8000
3. PLANNING / ENGINEER / SURVEYOR:  
MACKAY & SOMPS CIVIL ENGINEERS  
5142 FRANKLIN DR. SUITE B  
PLEASANTON, CA 94588  
CONTACT: JIM TEMPLETON (925) 225-0690
4. GEOTECHNICAL ENGINEER  
ENGEO INC.  
2010 CROW CANYON PLACE, SUITE 250  
SAN RAMON, CA 94583  
CONTACT: JOE TOOTLE (925) 866-9000
5. AREAS SUBJECT TO INUNDATION: ZONE AO (DEPTH 1 FOOT) PER FIRM PANEL 860 OF 1125, MAP No. 06097C0881E. REFER TO SHEET 3 FOR LOCATION OF AREAS SUBJECT TO INUNDATION.
6. ASSESSOR'S PARCEL NUMBERS: 047-131-026 & 047-131-027
7. PROPERTY ACREAGE: 34.34 ACRES
8. EXISTING USE: DRY FARMED AGRICULTURAL LAND
9. FUTURE LAND USES: R-M, R-H, PARKS AND RECREATION, OPEN SPACE AS DEFINED WITH THE UNIVERSITY SPECIFIC PLAN AMENDMENT. THESE PROPOSED USES WILL BE DEFINED WITH FURTHER MAPPING.
10. THIS MAP ASSUMES NO STREET IMPROVEMENT OR UNDERGROUND UTILITIES WILL BE INSTALLED. LOT LINES/IMPROVEMENT/UTILITIES TO BE DEFINED WITH FURTHER MAPPING.
11. DOMESTIC WATER SERVICE TO BE PROVIDED BY CITY OF ROHNERT PARK. WHEN INSTALLED IT SHALL CONFORM WITH CITY OF ROHNERT PARK AND SONOMA COUNTY WATER AGENCY (SCWA) STANDARDS.
12. RECYCLED WATER SERVICE TO BE PROVIDED BY SANTA ROSA SUBREGIONAL SYSYEM. WHEN INSTALLED IT SHALL CONFORM WITH CITY OF ROHNERT PARK AND SUB-REGIONAL SYSTEM STANDARDS.
13. SEWAGE SERVICE TO BE PROVIDED BY CITY OF ROHNERT PARK. WHEN INSTALLED IT SHALL CONFORM WITH CITY OF ROHNERT PARK STANDARDS.
14. ELECTRIC AND GAS SERVICE TO BE PROVIDED BY PACIFIC GAS & ELECTRIC. WHEN INSTALLED IT SHALL BE IN CONFORM WITH CITY OF ROHNERT PARK AND PG&E STANDARDS.
15. TELEPHONE SERVICE TO BE PROVIDED BY AT&T (FORMERLY SBC) AND WILL CONFORM TO THEIR STANDARDS WHEN INSTALLED.
16. SCHOOL DISTRICT: THE UDLLC PROPERTY IS LOCATED COMPLETELY WITHIN AND WILL BE SERVICED BY THE COTATI-ROHNERT PARK UNIFIED SCHOOL DISTRICT.
17. WHEN DEVELOPED, ACCESS TO THE PROJECT SHALL BE FROM ROHNERT PARK EXPRESSWAY. ABUTTERS RIGHTS TO BE REFINED WITH FURTHER MAPPING.
18. CONTOUR INTERVAL IS AS SHOWN ON THE ATTACHED PLAN. THE ELEVATION DATUM AND BASIS OF BEARING ARE DESCRIBED IN DETAIL PER NOTES AS SHOWN ON THIS COVER SHEET (LOWER RIGHT CORNER).
19. THE APPLICANT MAY DEVELOP THE PROJECT IN PHASES CONSISTENT WITH THE AMENDED AND RESTATED PROVISIONS SET WITHIN THE DEVELOPMENT AGREEMENT AND AMENDED SPECIFIC PLAN.
20. UNLESS OTHERWISE SPECIFICALLY STATED IN THE CONDITIONS OF APPROVAL, LOCAL AGENCY APPROVAL OF THIS MAP SHALL CONSTITUTE AN EXPRESS FINDING THAT THE PROPOSED SUBDIVISION AND DEVELOPMENT OF THE SUBJECT PROPERTY WILL NOT UNREASONABLY INTERFERE WITH THE FREE AND COMPLETE EXERCISE OF RIGHTS DESCRIBED IN GOVERNMENT CODE SECTION 66436(a)(3)(A)(i).
21. THE PROJECT SITE IS PART OF ASSESSMENT DISTRICT 05-01.
22. THE APPLICANT RESERVES THE RIGHT TO FILE MULTIPLE PARCEL MAPS ON THE PROPERTY AS LONG AS THEY ARE IN GENERAL CONFORMANCE WITH THE APPROVED PARCEL MAP.
23. THE AGENT ACKNOWLEDGES THAT ADDITIONAL STUDIES WILL BE REQUIRED TO DEVELOP THIS PROPERTY CONSISTENT WITH THE AMENDED SPECIFIC PLAN. ADDITIONAL EASEMENTS, DEED RESTRICTIONS AND/OR MAINTENANCE AGREEMENTS MAY BE NEEDED TO ALLOW DEVELOPMENT TO OCCUR. THESE EASEMENTS, RESTRICTIONS AND AGREEMENTS WILL BE DETERMINED WITH FURTHER MAPPING OR DEVELOPMENT OF THE PROPERTY.
24. RECIPROCAL EASEMENTS / AGREEMENTS BETWEEN U.D. LLC. PARCELS MAY BE IMPLEMENTED TO ALLOW DEVELOPMENT OF EACH PARCEL. THESE EASEMENTS / AGREEMENTS WILL BE INCLUDED WITH THE FINAL PARCEL MAP.



LEGEND

EXISTING	PROPOSED	
---	-----	SUBDIVISION BOUNDARY
---	---	RIGHT OF WAY / LOT LINE
---	---	CENTERLINE
---	---	CONTOUR LINE
---	---	EASEMENT LINE

INDEX OF SHEETS

SHEET	DESCRIPTION
1	TITLE SHEET & NOTES
2	BOUNDARY INFORMATION
3	TENTATIVE PARCEL MAP

TABLE OF PROPOSED FUTURE USES \*

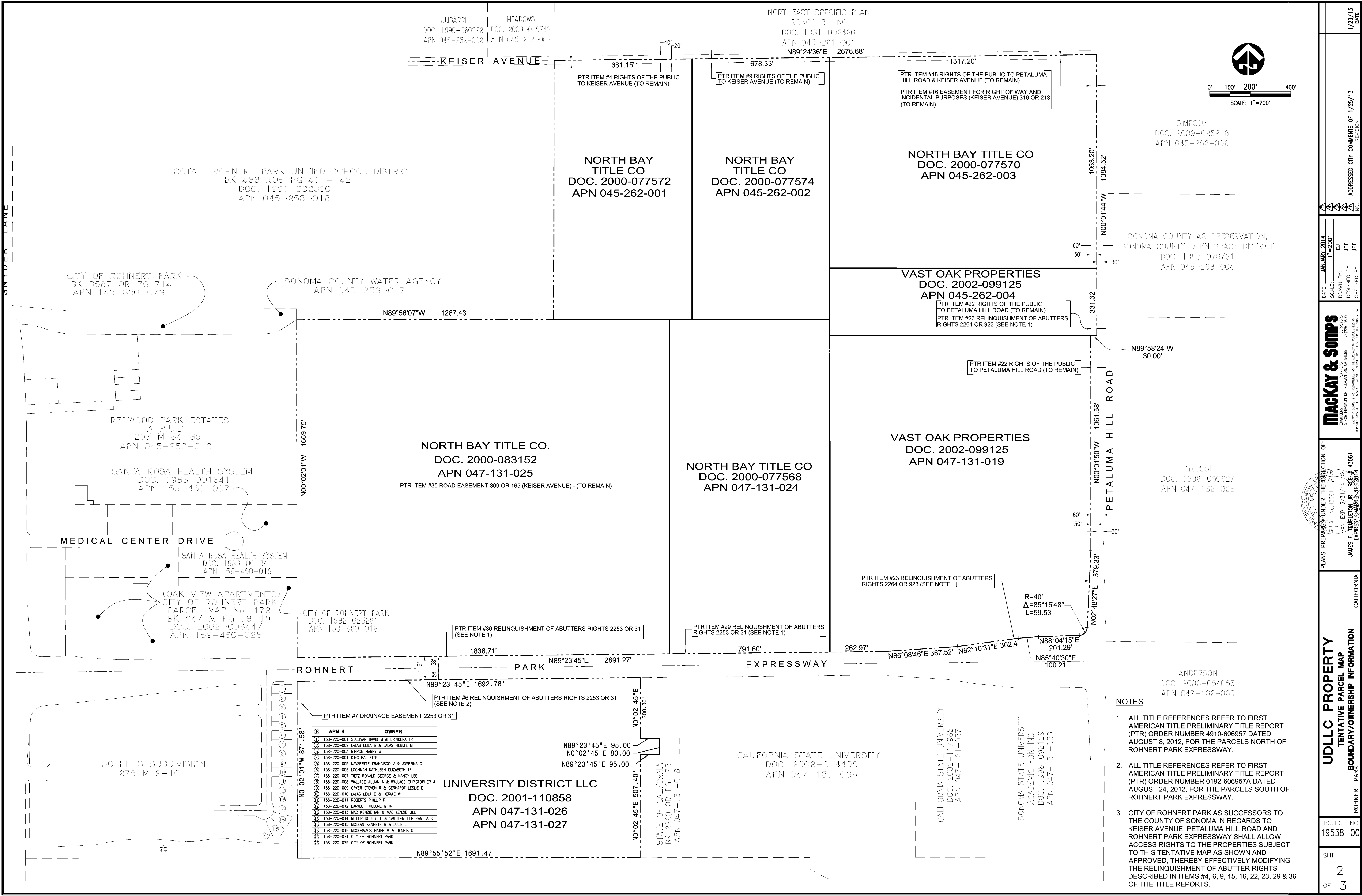
PARCEL #	PROPOSED USES	AREA
A	FUTURE OPEN SPACE / BUFFER	8.90 AC
B	FUTURE MEDIUM DENSITY RESIDENTIAL / WATER QUALITY AND DETENTION BASIN	10.88 AC
C	FUTURE MEDIUM DENSITY RESIDENTIAL	14.55 AC

\* PROJECT AGENT WILL REFINE THE INTENT OF EACH PARCEL WITH THE PROCESSING OF A SMALL LOT TENTATIVE MAP.

BASIS OF ELEVATIONS -- BENCHMARK  
ON SNYDER LANE, 1000 FEET NORTH OF KEISER AVENUE  
IN WEST HEADWALL OF CONCRETE CULVERT; STANDARD  
TABLET STAMPED "6 CWM 1943 116" (RESET 1981)  
ELEV. 119.925 (NGVD 29)

BASIS OF BEARINGS  
N00°01'44"W 2627.05' BETWEEN PET-1 AND PET-5  
AS SHOWN ON RECORD OF SURVEY FILED IN BOOK  
525 OF MAPS AT PAGE 37, SONOMA COUNTY RECORDS

DATE: JANUARY 2014	SCALE: NTS	DRAWN BY: EJ	DESIGNED BY: JFT	CHECKED BY: JFT	ADRESSED CITY COMMENTS OF 1/25/13	1/29/13
REVISION						DATE
MACKAY & SOMPS						
JAMES F. TEMPLETON JR. No. 45061 REG. # 45061						
PLANS PREPARED UNDER THE DIRECTION OF:						
UDLLC PROPERTY						
TENTATIVE PARCEL MAP						
TITLE SHEET & NOTES						
CALIFORNIA						
ROHNERT PARK						
PROJECT NO. 19538-00						
SHT 1						
OF 3						

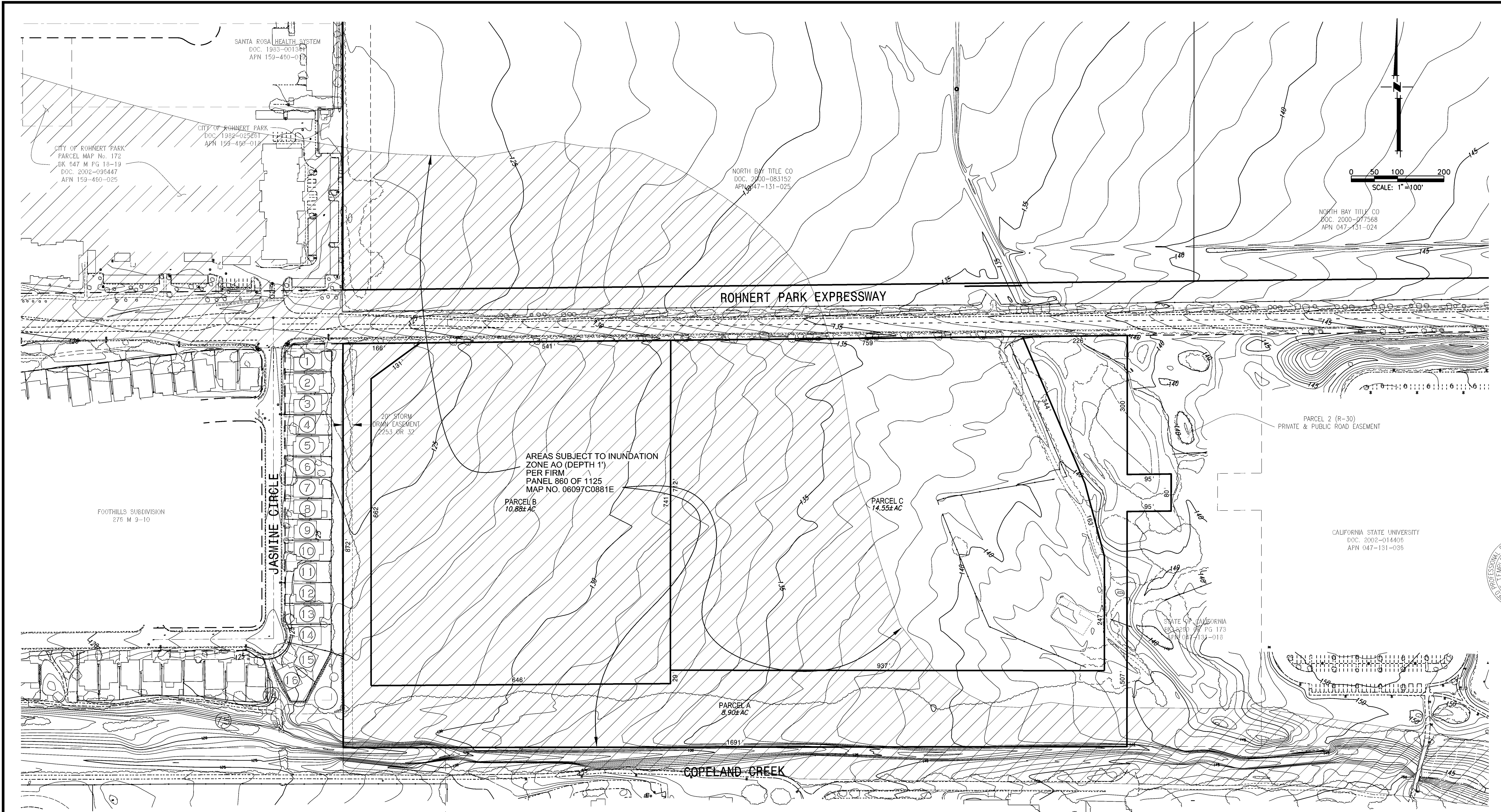


DATE: JANUARY 2014		DRAWN BY: EJ		DESIGNED BY: JFT		CHECKED BY: JFT	
SCALE: 1"=200'		PROJECT NO. 19538-00		PROJECT NAME: UDLC PROPERTY TENTATIVE PARCEL MAP		PROJECT LOCATION: Rohnert Park, California	
PROJECT NO. 19538-00		PROJECT NAME: UDLC PROPERTY TENTATIVE PARCEL MAP		PROJECT LOCATION: Rohnert Park, California		PROJECT DATE: 1/29/13	
PROJECT NO. 19538-00		PROJECT NAME: UDLC PROPERTY TENTATIVE PARCEL MAP		PROJECT LOCATION: Rohnert Park, California		PROJECT DATE: 1/29/13	

**NOTES**

- ALL TITLE REFERENCES REFER TO FIRST AMERICAN TITLE PRELIMINARY TITLE REPORT (PTR) ORDER NUMBER 4910-606957 DATED AUGUST 8, 2012, FOR THE PARCELS NORTH OF ROHNERT PARK EXPRESSWAY.
- ALL TITLE REFERENCES REFER TO FIRST AMERICAN TITLE PRELIMINARY TITLE REPORT (PTR) ORDER NUMBER 0192-606957A DATED AUGUST 24, 2012, FOR THE PARCELS SOUTH OF ROHNERT PARK EXPRESSWAY.
- CITY OF ROHNERT PARK AS SUCCESSORS TO THE COUNTY OF SONOMA IN REGARDS TO KEISER AVENUE, PETALUMA HILL ROAD AND ROHNERT PARK EXPRESSWAY SHALL ALLOW ACCESS RIGHTS TO THE PROPERTIES SUBJECT TO THIS TENTATIVE MAP AS SHOWN AND APPROVED, THEREBY EFFECTIVELY MODIFYING THE RELINQUISHMENT OF ABUTTER RIGHTS DESCRIBED IN ITEMS #4, 6, 9, 15, 16, 22, 23, 29 & 36 OF THE TITLE REPORTS.





④	APN #	OWNER
①	158-220-001	SULLIVAN DAVID M & ERINDERA TR
②	158-220-002	LALAS LEILA B & LALAS HERMIE M
③	158-220-003	RIPPON BARRY W
④	158-220-004	KING PAULETTE
⑤	158-220-005	NAVARRETE FRANCISCO V & JOSEFINA C
⑥	158-220-006	LOCHMAN KATHLEEN ELIZABETH TR
⑦	158-220-007	THETZ RONALD GEORGE & NANCY LEE
⑧	158-220-008	WALLACE JILLIAN A & WALLACE CHRISTOPHER J
⑨	158-220-009	CRYER STEVEN R & GERHARDT LESLIE E
⑩	158-220-010	LALAS LEILA B & HERMIE W
⑪	158-220-011	ROBERTS PHILLIP P
⑫	158-220-012	BARTLETT HELENE G TR
⑬	158-220-013	MAC KENZIE IAN & MAC KENZIE JILL
⑭	158-220-014	MILLER ROBERT E & SMITH-MILLER PAMELA K
⑮	158-220-015	MCLEAN KENNETH B & JULIE L
⑯	158-220-016	MCCORMACK NATEE M & DENNIS G
⑰	158-220-074	CITY OF ROHNERT PARK
⑱	158-220-075	CITY OF ROHNERT PARK



## **EXHIBIT B**

### **RECOMMENDED CONDITIONS OF APPROVAL**

#### **UD LLC TENTATIVE PARCEL MAP**

##### **ON-GOING CONDITIONS**

The conditions below shall apply to the Tentative Parcel Map (TPM) for the UDLLC project within the University District Specific plan. The UDLLC project shall be developed in accordance with the General Plan (GP), University District Specific Plan (UDSP), Mitigation Measures identified in the University District Specific Plan Environmental Impact Report (FEIR), Development Agreement (DA) between the City and University District LLC and Vast Oak Properties L.P., the Rohnert Park Municipal Code (RPMC) and the Design and Construction Standards.

The Conditions of Approval as stated herein are the obligation of the applicant/developer and place no obligation either express or implied on the City. These Conditions of Approval run with this TPM as approved regardless of ownership at time of recording.

##### **General Requirements**

- 1) The applicant shall comply with all documents approved by the City Council and adhere to all exhibits presented by the applicant at the Planning Commission and/or City Council meeting for approval of the University District Specific Plan project unless subsequently revised by the City.
- 2) In case of conflict between the various documents, the following order shall prevail: General Plan as amended 2000, Mitigation Measures for the Final Environmental Impact Report (FEIR), University District Specific Plan (UDSP), Development Agreement (DA), Tentative Parcel Map (TPM) and its Conditions of Approval, Rohnert Park Municipal Code (RPMC), and Design and Construction Standards.
- 3) The applicant shall comply with the FEIR. In addition the applicant shall pay the cost to monitor the Mitigation Measures identified in the FEIR for the University District Specific Plan project (SCH # 2003122014) kept on file in the Development Services Department. The requirements contained in the Mitigation Monitoring Program (MMP) shall be incorporated into these conditions and constructed in accordance with the MMP.
- 4) The applicant agrees to indemnify, hold harmless and defend the City, its officers, agents, elected and appointed officials, and employees, from any and all liability or claims that may be brought against the City arising out of its approval of this Tentative Map and associated entitlements pertaining to the University District Specific Plan save and except that caused by the City's active negligence.
- 5) By accepting the benefits conferred under this TPM, the applicant acknowledges all the conditions imposed and accepts this TPM subject to those conditions with full awareness of the provisions of the UDSP, as may be amended from time to time, and the RPMC, as applicable.

- 6) The use of the property by the applicant/grantee for any activity authorized by this TPM shall constitute acceptance of all of the conditions and obligations imposed by the City on this TPM. The applicant/grantee by said acceptance waives any challenge as to the validity of these conditions.

### **Engineering Services**

The proposed map was reviewed and the following conditions of approval were developed using the reference documents listed below

- Vesting Tentative Map, dated January 2014, prepared by MacKay & Soms, Sheets 1-3.

#### **Prior to Approval of Final Parcel Map**

- 7) Submit each final map and improvement plans with a completed Land Development Review Submittal Sheet, Final Parcel Map Completeness Checklist and Final Parcel Map Submittal Checklist as available on the City web-site and all appropriate additional information.
- 8) The final map submittal shall include a title report (within last 30 days), supporting documents, and calculations for City Engineer review. All calculated points within the map shall be based on one common set of coordinates. All information shown on the map shall be directly verifiable by information shown on the closure calculation printout. The point (s) of beginning shall be clearly defined. All lot acreages shall be shown on the map and shall be verifiable from information shown on the closure calculation printout.
- 9) Prior to City Council approval of the first final map; the developer shall satisfy Rohnert Park Municipal Code section 16.14.010 D. 2. regarding off-site dedication of rights-of-way and easements. The first and subsequent final maps shall show dedication of the necessary right-of-way in fee title, sidewalk easements, public utility easements and other easements for public water, sewer, and storm drain, as shown on the tentative map or as needed per the final improvement design.
- 10) All property corners of lots within the subdivision shall be monumented in compliance with city standards, except as expressly permitted in writing by the City Engineer.
- 11) The Final Parcel Map shall include a public drainage easement over Parcel A and Parcel B.
- 12) The developer shall maintain the basin in a weed free condition upon prior to completion. Upon completion the basin shall be maintained by Homeowners Association. The Developer shall submit a plan for temporary fencing to ensure and block any and all access to the basin by unauthorized personnel. The plan shall make provision for maintenance personnel and their vehicles. The plan shall include signage against trespassing and contact numbers.