



## **City of Rohnert Park PLANNING COMMISSION STAFF REPORT**

**Meeting Date:** May 25, 2017

**Agenda Item No:** 8.1

**Subject:** File Nos. PLDP2017-0001 and PLDP2017-0002 – University District Specific Plan Project, City of Rohnert Park – Consideration of Vast Oak East Development Area Plan I for Land Development Phase 1: Parkways and Walls and Vast Oak East Development Area Plan II for Land Development Phase 2: Cypress, Sycamore, Live Oak, and Juniper at University District.

**Location:** Within the University District Specific Plan (approximately 300 acres located south of Keiser Avenue, west of Petaluma Hill Road, north of Sonoma State University and Copeland Creek)

**Applicant:** University District LLC

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### **SUBJECT**

Consideration of Development Area Plan (DAPs) for the second phase of Vast Oak development within the University District Specific Plan (“UDSP”). Four new neighborhoods are proposed and the DAPs provides for development of a total of 428 residential lots within the Vast Oak East portion of the University District. By adopting the following resolution a recommendation of approval would be considered at a public hearing in front of the City Council.

1. Resolution No. 2017-17 recommending City Council approval of Vast Oak East Development Area Plan I for Land Development Phase 1: Parkways and Walls and Vast Oak East Development Area Plan II for Land Development Phase 2: Cypress, Sycamore, Live Oak, and Juniper at University District.

### **BACKGROUND**

The UDSP is one of five specific plan areas designated in the City’s General Plan for future development. The UDSP includes approximately 300 acres of lands owned by five property owners (University District LLC, Vast Oak Properties, Cotati-Rohnert Park Unified School District, Gee, and Linden) in the City of Rohnert Park. In 2006, the UDSP document (the “Specific Plan”) was approved and associated General Plan amendments were adopted and implemented. The Specific Plan addresses the land use and development standards for the UDSP area, which was annexed to the City in 2006. An Environmental Impact Report (EIR) was prepared and adopted by the City in conjunction with the 2006 approval of the Specific Plan.

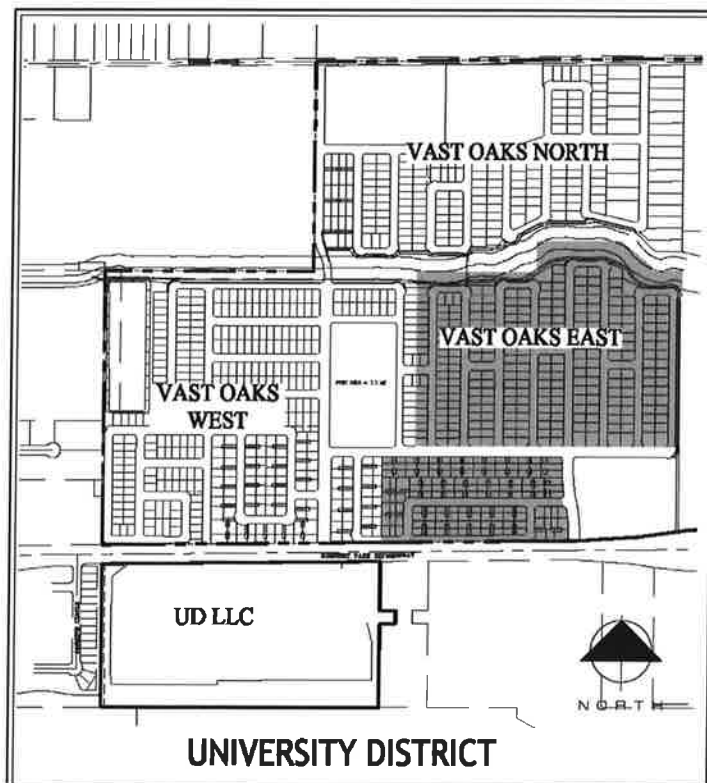
In April 2014, the City Council approved revisions to the adopted Specific Plan, including the Development Standards and Design Guidelines. The changes to the Specific Plan resulted in an alteration in the number of residential units by land use designation, the gross acreage and configuration for each designation, and reduced the total commercial building area. An addendum to the UDSP EIR was prepared and adopted by the City Council in conjunction with the 2014 Specific Plan revisions.

In November 2014, the City Council approved a DAP for the Vast Oak West Land Development Phase 1: Cypress, Mulberry, and Magnolia. Vast Oak West includes 399 new single family residential lots within the Cypress, Mulberry, and Magnolia neighborhoods, including landscaping, walls and fences. In April 2015, the City Council approved a second DAP for the Vast Oak West Development Phase I: Hinebaugh Creek Class I Bike Trail, West Detention Basin, and Rohnert Park Expressway landscaping, walls, fences and entry features. Portions of the Vast Oak West area of the UDSP are currently under construction.

### **PROPOSED PROJECT**

The proposed project includes two new DAP applications, DAP I for the Vast Oak East Land Development Phase I: Parkways and Walls (refer to **Exhibit 1**) and DAP II (refer to **Exhibit 2**)

for the Vast Oak East Land Development Phase II: Cypress, Sycamore, Live Oak, and Juniper at University District.



A DAP is intended to allow a phase or phases of an approved Specific Plan Area to be considered prior to the approval of final maps for that area and/or the submittal of building permits for the same. While the Specific Plan presents the overall picture for the area and the Development Standards and Design Guidelines give direction on how development should appear, a DAP “fine tunes” the Plan by establishing the architecture, site plan(s), landscape treatments, and other specifics for a given portion of the Plan Area. The components of the proposed Vast Oak East DAP I and II are discussed in greater detail below.

### **VAST OAK EAST DEVELOPMENT AREA PLAN I: PARKWAYS AND WALLS**

The proposed Vast Oak East DAP I (refer to **Exhibit 1**) includes landscape plans for Phases 2A, 2B, 2C, 2D, 2E, and 2F and Kingwood and Knight Road within the first Vast Oak East land development phase. The application submittal is comprised of the following:

- Landscape Master Plan which includes the proposed parkway landscaping, fencing, and walls.
- Plans for acoustic walls which include 6-foot acoustic walls that would be constructed along lots 142, 143, 148, and 140, located adjacent to Rohnert Park Expressway and the commercial area of the UDSP. The 6-foot acoustic/project wall would continue to the north along the lots adjacent to Knight Road (lots 150, 146, 48, 47, 46, 45, 44, and 43). Acoustic fences and gates would be constructed on the lots located adjacent to Kaitlyn Place, which parallels Rohnert Park Expressway.
- Detail specifications for walls and fences (Sheet L-6.0). The locations and specifications for all acoustic walls, fences, and gates conform to the recommendations included in the Noise Assessment Study for Vast Oak East prepared by Edward L. Pack & Associates, Inc. in December 2015. The acoustic walls and fences are required as mitigation for noise impacts to future residents on lots within 200 feet of Rohnert Park Expressway. Also included are details for Acoustic Good Neighbor Fence (detail 'A'), Acoustic Wood Gate (detail 'B'), Good Neighbor Fence (detail 'C'), Wood Gate (detail 'D'), 6' High Tube Steel Fence with Pilasters (detail 'E'), and Tubular Steel Fence on Retaining Wall (detail 'F').
- Detail specification for concrete paving, planter wall and pilaster, and the typical mailbox enclosure. Also included are the detail specifications for the Acoustic/Project Wall with Stone Veneer Pilasters. The detail sheets note that all wall, pilaster, and fence colors and materials will match the City-approved color scheme for Vast Oak West.

#### **VAST OAK EAST DEVELOPMENT AREA PLAN II: CYPRESS, SYCAMORE, LIVE OAK, AND JUNIPER AT UNIVERSITY DISTRICT**

The applicant has submitted DAP II for the Vast Oak East Land Development Phase II: Cypress, Sycamore, Live Oak, and Juniper at University District. This is for the Vast Oak East development area, which is proposed to include Cypress, Sycamore, Live Oak, and Juniper neighborhoods at University Park. As shown in **Figure 1: Vast Oak East Development Area Plan** below, the DAP provides for development of a total of 428 residential lots within the Vast Oak East portion of the University District. The submitted DAP II includes neighborhood plans, setback exhibits, parking plans, front yard landscape plans, floor plans and exterior elevations, and exterior color schemes for the Cypress, Sycamore, Live Oak, and Juniper areas.

#### **Cypress at University Park**

The portion of the Cypress neighborhood included within the Vast Oak East DAP II is located in the western portion of Vast Oak East, bordered to the north by Hinebaugh Creek, to the south by Kingwood Road, to the east by the proposed Sycamore neighborhood, and to the west by a portion of the designated Cypress lots within the Vast Oak West area. Cypress includes a total of 60 medium density (44' x 70') residential lots.

As shown on DAP II Sheet C.1, the lots would be comprised of three floor plan types. DAP II proposes a total of 20 Plan 1 lots with a typical lot size of 2,940 square feet (sf). Plan 2 lots, of which there would be 20 total, are proposed to have a typical lot size of 3,080 sf. DAP II proposes a total of 20 Plan 3 lots with a typical lot size of 3,390 sf. All 60 lots within Cypress propose building coverage of 70 percent. Proposed minimum building setbacks for Cypress plan lots are provided on Sheet C.4 of DAP II.

KINCAID PLACE

KEATE PLACE

KENNETH PLACE

VAST OAK WEST  
(APPROVED DAP I)

KELSEY PLACE

KENSINGTON PLACE

KASSANDRA PLACE

KASEY PLACE

KNIGHT ROAD

KRISTINA PLACE

KUTSHAW PLACE

KINGWOOD ROAD

KAREN PLACE

KATHRYN PLACE

RADER PLACE

COMMERCIAL CENTER  
(NOT PART OF DAP)

HONNET PARK EXPRESSWAY (NOT PART OF DAP)

WETLANDS

**LEGEND:**

- DEVELOPMENT AREA PLAN BOUNDARY
- CYPRESS (44' x 70') - 60 SFD LOTS
- SYCAMORE (50' x 80') - 114 SFD LOTS
- LIVE OAK (55' x 80') - 104 SFD LOTS
- JUNIPER (8 PACK MOTORCOURT) - 150 SFD LOTS

TOTAL: 428 LOTS

**DEVELOPMENT AREA PLAN**  
**VAST OAK EAST**  
University District  
Rohnert Park, California

MAY 2017

The Parking Plan for Cypress (DAP II Sheet C.5) indicates that a total of 305 parking spaces would be available: 120 residential spaces (in garage), 120 residential visitor spaces (in driveway), and 65 on street visitor spaces.

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### **Sycamore at University Park**

The Sycamore portion of DAP II, located in the central portion of the Vast Oak East area of the UDSP, bordered to the north by Hinebaugh Creek and to the south by Kingwood Road, would include a total of 114 low density (50' x 80') residential lots.

As shown on DAP II Sheet S.1, lots within the Sycamore neighborhood would be comprised of four floor plans. The DAP proposes a total of 20 Plan 1 lots, 34 Plan 2 lots, 34 Plan 3 lots, and 26 Plan 4 lots. For each of the four proposed plans, the typical lot size would be 4,000 sf and the maximum building coverage would be 65 percent.

The architectural styles for Sycamore homes would be a mixture of Spanish, Italian, Farmhouse, and Craftsman. Each of the four floor plans would be comprised of a mixture of the four architectural styles, as shown on the Sycamore exterior elevation drawings included in DAP II. Variations in materials and color schemes would allow for further visual diversity throughout the development (refer to Exterior Color Schemes section of DAP II).

The Parking Plan for Sycamore (DAP II Sheet S.7) indicates that a total of 597 parking spaces would be available: 228 residential spaces (in garage), 228 residential visitor spaces (in driveway), and 141 on street visitor spaces.

DAP II also includes landscape plans for Sycamore homes beginning at DAP II Sheet L-1.0. The Sycamore Landscape Plans include the following: Landscape Master Plan (DAP II Sheet L-1.1 and L-1.2); Front, Side Yard and Parkway Typical Landscape Plans (DAP II Sheet L-1.3 and L-1.4); and Landscape Details (DAP II Sheet L-1.5).

### **Live Oak at University Park**

The portion of the Live Oak neighborhood included within the Vast Oak East DAP II is located in the eastern portion of Vast Oak East, bordered to the north by Hinebaugh Creek, to the east by wetlands and open space, to the west by the Sycamore lots, and to the south by Kingwood Road and the designated commercial area. The Live Oak area includes a total of 104 low density (55' x 80') residential lots. As shown on DAP II Sheet L.1, the lots would be comprised of four floor plan types, all of which have a typical lot size of 4,400 square feet and a lot coverage of 60 percent.

The architectural styles for Live Oak homes would be a mixture of Spanish, Italian, Farmhouse, and Craftsman. Each of the four floor plan types would be comprised of a mixture of the four architectural styles, as shown on the Live Oak exterior elevation drawings included in the DAP. Variations in materials and color schemes would allow for further visual diversity throughout the development (refer to Exterior Color Schemes section of DAP II).

The Parking Plan for Live Oak (DAP II Sheet L.7) indicates that a total of 596 parking spaces would be available: 208 residential spaces (in garage), 208 residential visitor spaces (in driveway), and 180 on street visitor spaces.

The DAP also includes landscape plans for Live Oak beginning at DAP Sheet L-1.0. The Live Oak Landscape Plans include the following: Landscape Master Plan (Sheet L-1.1); Front, Side Yard and Parkway Typical Landscape Plans (Sheet L-1.2 and L-1.3); and Landscape Details (L-1.4).

## **Juniper at University Park**

The Juniper neighborhood included in DAP II is located in the southern portion of Vast Oak East, bordered to the north by Kingwood Road, to the south by Rohnert Park Expressway, and to the east by the designated area for the commercial center in the University District.

Within Vast Oak East DAP II, Cypress includes a total of 150 residential lots in a motorcourt configuration. The number of lots per motorcourt varies from four to eight. Three lots would have direct access to Karen Place and three lots would have direct access to Kaitlyn Place.

As shown on DAP Sheet J.1, the lots would be comprised of three floor plan types. The DAP proposes a total of 54 Plan 1 lots with a typical lot size of 2,726 sf and building coverage of 80 percent. Plan 2 lots, of which there would be 48 total, are also proposed to have a typical lot size of 2,726 sf and building coverage of 80 percent. The DAP proposes a total of 48 Plan 3 lots with a typical lot size of 3,140 sf with building coverage of 80 percent. Proposed minimum building setbacks for Juniper plan lots are provided on DAP Sheet J.6.

The architectural styles for Juniper homes would be a mixture of Wine Country, Craftsmen, and Farmhouse. Each of the three floor plan types would be comprised of a mixture of the three architectural styles, as shown on the Juniper exterior elevation drawings included in the DAP. Variations in materials and color schemes would allow for further visual diversity throughout the development (refer to Exterior Color Schemes section of DAP II).

The Parking Plan for Juniper (DAP Sheet J.7) indicates that a total of 457 parking spaces would be available: 300 residential spaces (in garage) and 157 on street visitor spaces.

The DAP also includes landscape plans for Juniper beginning at DAP Sheet L-1.0 including: Landscape Master Plan (Sheet L-1.1); Front and Side Yard Six Pack Lot Typical Landscape Plans (Sheet L-1.2 and L-1.3); and Landscape Details (L-1.4).

## **ENVIRONMENTAL REVIEW**

Pursuant to the California Environmental Quality Act (CEQA), the City of Rohnert Park, as the lead agency, has conducted an environmental review of the Project. The City prepared an Environmental Impact Report (EIR) to address the potentially significant adverse environmental impacts that may be associated with the planning, construction, or operation of the Project and to identify appropriate and feasible mitigation measures and alternatives that may be adopted to significantly reduce or avoid the impacts identified in the EIR. The City certified the Final EIR on May 23, 2006 and approved an Addendum to the Final EIR on April 8, 2014. The proposed DAP I is consistent with the analysis in the EIR and EIR Addendum and would not result in additional environmental effects. Therefore, no additional environmental review is necessary.

## **MITIGATION MONITORING AND REPORTING PROGRAM**

The mitigation measures required to reduce the impacts to a less than significant level have been included as part of the Mitigation Monitoring and Reporting Program (included in the Final EIR). The program identifies the required mitigation measures, responsibility for ensuring compliance and the timing of the measure implementation.

## **PROJECT ANALYSIS**

In order to approve a development area plan application, pursuant to Rohnert Park Municipal Code section 17.06.400(E), the City Council must find the proposed development conforms to the specific plan; and either: (a) Public infrastructure and services can be provided concurrently with the development; or (b) a statement of public policy consideration and/or an exception can be granted.

Staff has determined that the Vast Oak East DAP I and II submittals are consistent with the Specific Plan and provide additional details on the project including residential floor plans and elevations by housing type, and landscaping details and specifications. The proposed DAPs are consistent with the Specific Plan because they conform to the requirements in the Specific Plan related to density, housing type, housing location, public improvements, landscaping, and related amenities. The DAPs are designed to have adequate infrastructure and be integrated with existing City roadways, streets, bicycle paths, and walkways. All streets and thoroughfares will meet the standards of the City. The recommended conditions of approval for the DAPs ensure that implementation of the Development Area Plans will remain consistent with the Specific Plan, Tentative Map, and mitigation measures. The Vast Oak East DAP I and II are also consistent with the DAP approvals for the neighborhoods in the Vast Oak West area of the Specific Plan as well as the previously-approved DAP for Rohnert Park Expressway landscaping, walls, fences and entry features.

As specified in the approved Specific Plan, on-site infrastructure plans are required for each property and phase. Vast Oak Infrastructure plans provided in the Specific Plan incorporate sanitary sewer, storm drainage / water quality improvements, potable water systems and recycled water systems. As also indicated in the Specific Plan, off-site infrastructure for the UDSP Area will be coordinated through the Public Facilities Financing Plan (PFFP), including fee allocations for all properties. PFFP infrastructure will be funded and installed by UDSP property owners to satisfy PFFP Fee Burdens, while on-site infrastructure improvements will be installed by property owners at their cost. Specific Plan properties are responsible for their PFFP Fund Burdens without reliance on any other Specific Plan properties to provide, fund or over – size any improvements that support development of that property.

The designs for infrastructure have been provided in the Vast Oak Tentative Map, approved by City Council on April 8, 2014. The Infrastructure Phasing Program included with the Tentative Map identifies the schedule for infrastructure and provides the basis for the financial feasibility of each phase, while subject to the Development Agreement. Table 6B of the Specific Plan provides a summary of off-site / PFFP and the on-site Infrastructure Phasing Program. Timing of completion of improvements is included as Exhibit C-1 of the Amended and Restated Development Agreement.

## **PUBLIC NOTIFICATION AND INFORMATION**

A public hearing notice denoting the time, date, and location of this hearing was published in the *Community Voice* on May 12, 2017. Property owners within 300 feet of the Project site and interested parties requesting notification were also mailed notices, and the notice was posted pursuant to State law.

### **RECOMMENDED ACTIONS**

Staff recommends that the Planning Commission provide recommendations to the City Council regarding:

1. Resolution No. 2017-17 recommending City Council approval of the Development Area Plan I for the Vast Oak East Land Development Phase I: Parkways and Walls and Development Area Plan II for the Vast Oak East Land Development Phase II: Cypress, Sycamore, Live Oak, and Juniper at University District

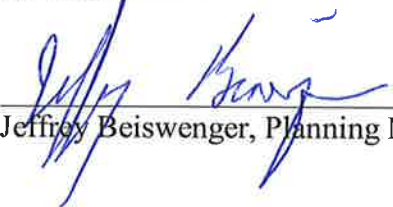
### **ATTACHMENT:**

1. Resolution No. 2017- 17 (DAP I and II)

### **EXHIBITS:**

- A. Development Area Plan I, Development Area Plan II

### **APPROVALS:**

  
\_\_\_\_\_  
Jeffrey Beiswenger, Planning Manager

  
\_\_\_\_\_  
Date

**PLANNING COMMISSION RESOLUTION NO. 2017-17**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF ROHNERT PARK, CALIFORNIA, RECOMMENDING TO THE CITY  
COUNCIL THE APPROVAL OF THE DEVELOPMENT AREA PLAN I FOR THE  
VAST OAK EAST LAND DEVELOPMENT PHASE I: PARKWAYS AND WALLS AND  
DEVELOPMENT AREA PLAN II FOR THE VAST OAK EAST LAND  
DEVELOPMENT PHASE II: CYPRESS, SYCAMORE, LIVE OAK, AND JUNIPER AT  
UNIVERSITY DISTRICT**

**WHEREAS**, the applicant, University District LLC, has submitted an application for the Development Area Plan I for the Vast Oak East Land Development Phase 1: Parkways and Walls and a Development Area Plan II for the Vast Oak East Land Development Phase 2: Cypress, Sycamore, Live Oak, and Juniper neighborhoods at University District within the within the University District Specific Plan (“UDSP”) Area; 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**, the City Council of the City of Rohnert Park has certified the Final Environmental Impact Report (EIR) and EIR Addendum prepared for the UDSP project and the City has otherwise carried out all requirements for the project pursuant to CEQA; and

**WHEREAS**, on May 25, 2017, the Planning Commission held a public hearing at which time interested persons had an opportunity to testify either in support or opposition to the proposed Development Area Plans; and

**WHEREAS**, the Planning Commission has reviewed and considered the information contained in proposed Development Area Plans.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Rohnert Park makes the following findings, determinations and recommendations with respect to the proposed Development Area Plans:

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

**Section 2.** On May 23, 2006, the City of Rohnert Park certified the Final EIR for the UDSP project, including adoption of associated CEQA Findings, Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Program. On April 8, 2014, the City approved an Addendum to the Final EIR, as described in City Council Resolution No. 2014-032.

**Section 3.** Findings for Approval of Development Area Plans. The Planning Commission in recommending approval to the City Council of Planning Application file number PLDP2017-0001 (Development Area Plan I for the Vast Oak East Land Development Phase 1: Parkways and Walls) and file number PLDP2017-0002 (Development Area Plan II for the Vast

Oak East Land Development Phase 2: Cypress, Sycamore, Live Oak, and Juniper at University District), hereby makes the following findings in accordance with Rohnert Park Municipal Code Section 17.06.400; to wit;

1. *The proposed development conforms to the applicable specific plan*

**Criteria Satisfied.** The proposed Vast Oak East Development Area Plans I and II conform to the Specific Plan and would implement Phases I and II of development within the Vast Oak East portion of the UDSP area. DAP I provides details and specifications for the proposed parkways and walls within the first land development phase of Vast Oak East and DAP II provides additional details including residential floor plans, elevations and front yard landscaping by housing type for development of the Cypress, Sycamore, Live Oak, and Juniper neighborhoods within Phase 2 of development in Vast Oak East. The proposed development is consistent with the Specific Plan because it conforms to the requirements in the Specific Plan related to density, housing type, housing location, open space, and related amenities. In addition, the proposed DAPs are designed to have adequate infrastructure, integrated with existing City roadways, streets, bicycle paths, and walkways.

2. *Public infrastructure and services can be provided concurrently with the development*

**Criteria Satisfied.** The developer will be required to participate in the Public Facilities Financing Plan, which will provide for necessary off-site public facilities, and shall be responsible for on-site facilities to meet the project's needs. The Development Agreement for the project sets forth the timing of the necessary facilities as they relate to the physical development of the site.

**Section 4.** A duly noticed public hearing on the proposed Development Area Plan was held on May 25, 2017.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that, based on the findings set forth in this Resolution and the evidence in the staff report, and the above-referenced Findings, the Planning Commission hereby recommends that the City Council approve the Development Area Plan I for the Vast Oak East Land Development Phase 1: Parkways and Walls and the Development Area Plan II for the Vast Oak East Land Development Phase 2: Cypress, Sycamore, Live Oak, and Juniper at University District, as set forth at **Exhibit A**, in its entirety, and subject to the recommended conditions of approval as provided in **Exhibit B**.

**DULY AND REGULARLY ADOPTED** on this 25th day of May, 2017 by the City of Rohnert Park Planning Commission by the following vote:

AYES: \_\_\_\_\_ NOES: \_\_\_\_\_ ABSENT: \_\_\_\_\_ ABSTAIN: \_\_\_\_\_

ADAMS \_\_\_\_\_ BLANQUIE \_\_\_\_\_ BORBA \_\_\_\_\_ GIUDICE \_\_\_\_\_ HAYDON \_\_\_\_\_

Susan Haydon, Chairperson, City of Rohnert Park Planning Commission

Attest: Susan Azevedo, Recording Secretary

**EXHIBIT A**

**VAST OAK EAST DEVELOPMENT AREA PLANS I and II**

## **EXHIBIT B**

### **CONDITIONS OF APPROVAL –**

#### **VAST OAK EAST DEVELOPMENT AREA PLAN I FOR LAND DEVELOPMENT PHASE1: PARKWAYS AND WALLS**

#### **AND**

#### **VAST OAK EAST DEVELOPMENT AREA PLAN II FOR LAND DEVELOPMENT PHASE 2: CYPRESS, SYCAMORE, LIVE OAK, AND JUNIPER AT UNIVERSITY DISTRICT**

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

The conditions below shall apply to the Vast Oak East Development Area Plan (DAP) I for Land Development Phase I: Parkways and Walls and Vast Oak East DAP II for Land Development Phase 2: Cypress, Sycamore, Live Oak, And Juniper at University District. The University District Vast Oak East Land Development Phases 1 and 2 shall be developed in accordance with the General Plan (GP), University District Specific Plan (UDSP) including Design Guidelines, Mitigation Measures (MMs) identified in the UDSP Final 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.

#### **General Requirements**

- 1) The applicant shall comply with all documents approved by the City Council and adhere to all verbal representations and 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, Mitigation Measures for the FEIR, UDSP, Vast Oak East DAPs I and II and conditions of approval, DA, Tentative Map and its Conditions of Approval, 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 UDSP 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 Vast Oak East DAPs I and II, save and except that caused by the City's active negligence.
- 5) By accepting the benefits conferred under Vast Oak East DAPs I and II, the applicant acknowledges all the conditions imposed and accepts DAPs I and II subject to those

conditions with full awareness of the provisions of the Final Development Plan (FDP), 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 Vast Oak East DAPs I and II shall constitute acceptance of all of the conditions and obligations imposed by the City on Vast Oak East DAPs I and II. The applicant/grantee by said acceptance waives any challenge as to the validity of these conditions.
- 7) All improvements shall comply with all applicable sections of the City of Rohnert Park Municipal Code and any other applicable relevant plans of affected agencies, unless superseded by the Specific Plan for this property.
- 8) The development of this phase shall be consistent with all other approvals associated with this project (e.g. UDSP/Design Guidelines, Tentative Map, DA).
- 9) The applicant shall obtain all necessary permits and clearances from the Rohnert Park Building and Public Safety Departments prior to occupancy of the project.
- 10) Any covenants, conditions, and restrictions (CC&R's) applicable to the project property shall be consistent with the terms of these conditions and the City Code. If there is conflict between the CC&R's and the City Code or these conditions, the City Code or these conditions shall prevail.

#### Site Plan, Landscaping and Signs

- 11) All improvements shall be in conformance with the submitted Site Plans, Exterior Elevations, and Landscape Plans, except as modified herein.
- 12) All plant materials proposed for use within the DAP I and DAP II areas of Vast Oak East shall be in conformance with the University District Plant Material Matrix contained in Appendix B of the Specific Plan.
- 13) The design of all entrances to the site shall be subject to Department of Public Safety approval.
- 14) The designs and locations of decorative paving treatments shall be subject to staff review and approval.
- 15) Architectural treatments applied to the front elevation, such as brick or stone wainscots, shall be carried around corners to the sides of the homes and shall terminate at the fence line or at a logical end point (e.g. a vertical post element.)
- 16) All building footprints for homes shall be identified by floor plan model and architectural style (e.g. "A", "B" or "C") on the final plotting plan for the area. The same model floor plans shall not be plotted across the street from or next to one another. Exceptions to the building footprints may be made in limited cases to ensure streetscape diversity. Such exceptions shall be subject to administrative approval by the Planning Manager.

- 17) The Planning Manager shall have the authority to administratively approve minor variations to the DAP II exterior residential color schemes, materials, and finishes that may be subsequently proposed following DAP approval.
- 18) Home builders may use 3 of the 4 approved residential plans in Cypress, Sycamore, Live Oak and Juniper neighborhoods subject to submittal of revised neighborhood plans and approval by the Planning Manager.
- 19) A plan for Temporary Sales Office and Design Center shall be submitted including off street parking, lighting, ADA compliance and office complex for review and approval by Planning Commission, prior to issuance of building permit.
- 20) Air conditioning or mechanical ventilation shall be provided to allow occupants to close windows and doors for adequate noise isolation. Any ground-mounted air conditioning units proposed shall be screened from public view by a combination of masonry walls, fencing and/or landscaping, with the final design subject to Staff approval. Any roof-mounted mechanical equipment shall be concealed so as not to be visible from public view. This condition shall not apply to roof-mounted photo-voltaic panels, with approval of the building and planning divisions.
- 21) Design and placement of walls and fences, including acoustic walls, fences, and gates, for each neighborhood or land use district shall be in accordance with the standards included in Vast Oak East DAP I and shall be approved by planning staff.
- 22) All residential dwellings shall display illuminated street numbers in a prominent location in such a position that the numbers are easily visible to approaching emergency vehicles from both directions. The numbers shall be of a contrasting color to the background to which they are attached and four (4) inches minimum in height.
- 23) The project applicant shall design and construct all project facilities in accordance with the most recent seismic standards of the California Building Standards Code.
- 24) The applicant shall design and construct the foundations and/or building pads for all project structures using standard engineering practices that account for, and minimize damage resulting from, expansive soil conditions. Specific design and constructed methods shall be as directed by Mitigation Measure GEO-8a of the FEIR for this project.
- 25) Prior to the issuance of any building permits, front yard landscape and irrigation plans shall be submitted to and approved by Planning Staff and the City Engineer. Such plans shall be in substantial conformance with the plan submitted as a part of this application.
- 26) All trees within five feet of the public right-of-way shall have root barriers that are approved by the Engineering Division.
- 27) A permanent automatic sprinkler shall be installed to maintain all landscape materials and areas.

- 28) The applicant's engineer shall coordinate with the City Engineer to ensure that recycled water is used for irrigation of the project's landscaping, if available.
- 29) All exterior lighting shall be designed so as to prevent any spillover lighting onto adjacent properties and rights-of-way. New lighting levels provided shall be compatible with general illumination levels in existing areas to avoid a noticeable contrast in light emissions, consistent with the need to provide for safety and security.
- 30) Roof-mounted lights are prohibited on buildings without prior approval of Development Services Department.
- 31) The final location for mailbox enclosures, enclosure sizes, and total number of mailboxes and parcel boxes per enclosure shall be subject to review and approval by the Planning Division and United States Post Office.

#### Site Improvements

- 32) All double-check valves provided for domestic water and fire sprinkler systems shall be concealed from any public streets and parking lots with decorative walls and landscaping. Plans shall be submitted to the Development Services Department and City Engineer for review and approval.
- 33) Any existing overhead utilities within the subdivision and all proposed utilities shall be placed underground.
- 34) Sidewalk configuration shall be allowed to vary or transition to accommodate transformer sites in three locations within the DAP II areas of Vast Oak East: two sites on Kingwood Road and one site on Kaitlyn Place. Any additional changes in sidewalk configuration due to site grades and transformer locations shall be subject to review and approval by the Planning Manager and City Engineer.

#### Construction Mitigation

- 35) For any project requiring an on-site inspector to monitor grading, housing construction and/or development, the applicant shall deposit funds with the City to cover the full cost of an inspector prior to any land disturbance. The City Engineer, as appropriate, shall approve the amount and hire the inspector.
- 36) The developer shall comply with construction hours pursuant to Rohnert Park Municipal Code Section 9.44.120.
- 37) All construction material waste and other debris shall be recycled to the extent feasible. The applicant shall present a "clean site everyday" program to City building staff for approval. The program shall include on-site signage in English and Spanish to be posted at construction entrances. No animals shall be brought on site by construction personnel during work hours.

- 38) All material storage areas shall be fenced with at least a 6-foot high chain link fence with at least two separate points of access with sufficient width for emergency vehicles. The access points shall be shown on the construction fire and security protection site plan.