

RESOLUTION NO. 2023-29

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA
APPROVING THE PHASE 1B-PROMENADE FINAL MAP FOR THE DUNES
ON MONTEREY BAY DEVELOPMENT PROJECT SUBDIVISION
(FORMERLY UNIVERSITY VILLAGE), AND AUTHORIZING THE CITY
CLERK 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 December 17, 2019, the City Council adopted Resolution No. 2019-140, approving an Operating Agreement as an administrative amendment of the Development Agreement clarifying and modifying certain project approvals for Specific Plan for The Dunes on Monterey Bay including to the Conforming Clarifications to the Schedule of Performance, and;

WHEREAS, at the regularly scheduled meeting of May 3, 2022, the City Council adopted Resolution No. 2022-52, approving an amendment to University Village Phase 1B-Promenade Tentative Map, and;

WHEREAS, Shea Homes Limited Partnership (“Developer”) has submitted the Phase 1B-Promenade Final Map to the City for review and approval. Staff has reviewed the improvement plans for construction and approved the plans on December 13, 2022. It has been determined that the Tentative Map Conditions of Approval as amended have been met. The Community Development Director and Public Works Director will sign off on the Final Map in accordance with their respective findings, and;

WHEREAS, 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 Final Map. The Agreement is on this Agenda as a separate item for consideration of approval, and;

WHEREAS, a review of water supply availability to serve Phase 1B-Promenade also been provided by Bowman Consulting Group (dated December 21, 2022) (“**EXHIBIT B**”) pursuant to Section II A of the University Villages Settlement Agreement with Save Our Peninsula Committee. The required finding is made in the draft Resolution, 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, and;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Marina does hereby approve the Phase 1B-Promenade Final Map for The Dunes on Monterey Bay Development Project Subdivision (“**EXHIBIT A**”), and authorizing the City Clerk 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 21st day of March 2023, by the following vote:

AYES: COUNCIL MEMBERS: McCarthy, Visscher, Biala, Medina Dirksen, Delgado

NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

Bruce Delgado, Mayor

ATTEST:

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 THIS MAP AND SUBDIVISION AS SHOWN WITHIN THE SUBDIVISION BOUNDARY LINES.

THE REAL PROPERTY DESCRIBED IN THE NEXT PARAGRAPH IS DEDICATED IN FEE TO THE CITY OF MARINA FOR PUBLIC PURPOSES:

LOT 7, LOT 28, LOT 30, LOT 32 AND 9TH STREET DEDICATION. THESE LOTS HAVE THE FOLLOWING STREET NAMES AS SHOWN ON THIS MAP: 10TH STREET, OCEAN BLUFF AVENUE, SAND DUNE AVENUE, MARITIME STREET, GENERAL STILWELL DRIVE, JETTY STREET AND 9TH STREET.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED AS AN EASEMENT FOR PUBLIC PURPOSES:

THOSE AREAS LABELED AS PUBLIC UTILITY EASEMENT (PUE) 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.

THOSE AREAS LABELED AS SIDEWALK EASEMENT (SWE) FOR PEDESTRIAN INGRESS AND EGRESS.

THOSE AREAS LABELED AS EMERGENCY VEHICLE ACCESS EASEMENTS (EVAE) FOR EMERGENCY VEHICLE INGRESS AND EGRESS.

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 TO THE ADJACENT OWNER EAST OF LOT 29 ON THIS MAP, UNIVERSITY VILLAGE APARTMENTS, THE EASEMENT LABELED "AE" (ACCESS EASEMENTS) FOR VEHICLE AND PEDESTRIAN INGRESS AND EGRESS.

AND THE UNDERSIGNED DO HEREBY RESERVE TO ITSELF, AND TO THE OWNERS, RESIDENTS, CUSTOMERS AND OTHERS DESIGNATED BY THE OWNER'S ASSOCIATION(S), THE AREAS DESIGNATED AS "IEE" (PRIVATE INGRESS AND EGRESS EASEMENT) FOR THE PURPOSES OF VEHICULAR INGRESS AND EGRESS AND PARKING. MAINTENANCE OF SAID EASEMENT AREAS SHALL BE THE RESPONSIBILITY OF THE OWNER'S ASSOCIATION(S), IN ACCORDANCE WITH THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS (CC&R'S) GOVERNING THIS SUBDIVISION. SAID EASEMENTS ARE NOT OFFERED FOR DEDICATION TO THE PUBLIC AND SHALL BE CONVEYED TO THE OWNER'S ASSOCIATION(S) BY SEPARATE INSTRUMENT RECORDED SUBSEQUENT TO THE FILING OF THIS MAP.

AND THE UNDERSIGNED DO HEREBY RESERVE TO ITSELF, AND TO THE OWNERS, RESIDENTS, CUSTOMERS AND OTHERS DESIGNATED BY THE OWNER'S ASSOCIATION(S), THE AREAS DESIGNATED AS "PRUE" (PRIVATE UTILITY EASEMENT) FOR THE PURPOSES OF INSTALLATION AND MAINTENANCE OF PRIVATE UTILITIES. MAINTENANCE OF SAID EASEMENT AREAS SHALL BE THE RESPONSIBILITY OF THE OWNER'S ASSOCIATION(S), IN ACCORDANCE WITH THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS (CC&R'S) GOVERNING THIS SUBDIVISION. SAID EASEMENTS ARE NOT OFFERED FOR DEDICATION TO THE PUBLIC AND SHALL BE CONVEYED TO THE OWNER'S ASSOCIATION(S) BY SEPARATE INSTRUMENT RECORDED SUBSEQUENT TO THE FILING OF THIS MAP.

LOTS 1, 19, 27, 29, 31 AND 36 ARE RESERVED FOR PRIVATE PARKING, PRIVATE ACCESS AND PRIVATE UTILITIES. LOT 18 IS RESERVED FOR PRIVATE OPEN SPACE. SAID LOTS IN THIS PARAGRAPH SHALL BE CONVEYED TO THE OWNER'S ASSOCIATION(S) BY SEPARATE INSTRUMENT RECORDED SUBSEQUENT TO THE FILING OF THIS MAP.

LOT 17 IS RESERVED BY THE SUBDIVIDER FOR FUTURE DEVELOPMENT PURPOSES.

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

MARINA COMMUNITY PARTNERS, LLC, A DELAWARE LIMITED LIABILITY COMPANY

BY: DONALD A. HOFER, AUTHORIZED AGENT

BY: STEVE LUCAS, AUTHORIZED AGENT

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 , 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(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S) OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) 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:
SIGNATURE:_____
NAME (PRINT):_____
PRINCIPAL COUNTY OF BUSINESS:_____
COMMISSION NO.:_____
COMMISSION EXPIRES: _____

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 , 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(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S) OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) 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:
SIGNATURE:_____
NAME (PRINT):_____
PRINCIPAL COUNTY OF BUSINESS:_____
COMMISSION NO.:_____
COMMISSION EXPIRES: _____

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 , 20 AND ACCEPTS ON BEHALF OF THE PUBLIC, IN FEE, SUBJECT TO IMPROVEMENTS, THOSE PORTIONS OF SAID LANDS DESIGNATED ON SAID MAP BY RESOLUTION NO. AND ACCEPTS ON BEHALF OF THE PUBLIC ALL DEDICATIONS, IN CONFORMITY WITH THE TERMS OF THE OFFER OF DEDICATION, AND ACCEPTS ALL PUBLIC EASEMENTS OFFERED FOR DEDICATION.

PURSUANT TO GOVERNMENT CODE SECTION 66434(G), I CERTIFY THE CITY OF MARINA DOES HEREBY ABANDON THE PUBLIC UTILITY EASEMENTS THAT ARE LOCATED WITHIN THE BOUNDARY OF THIS MAP AS SHOWN ON SHEET 3 OF THIS MAP. SAID EASEMENTS ARE BEING REPLACED BY ANOTHER PUBLIC STREET EASEMENT CREATED BY THIS TRACT MAP.

BY ANITA SHEPHERD-SHARP
DEPUTY CITY CLERK OF MARINA

CITY ENGINEER'S & CITY SURVEYOR'S STATEMENT

I, BRIAN McMINN, CITY ENGINEER AND SURVEYOR OF THE CITY OF MARINA HEREBY STATE THAT I HAVE EXAMINED THIS MAP AND AM SATISFIED THAT IT IS TECHNICALLY CORRECT; THAT THE SUBDIVISION AS SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP AND ANY APPROVED ALTERATIONS THEREOF, AS APPROVED BY THE CITY COUNCIL OF THE CITY OF MARINA ON THE THAT ALL PROVISIONS OF THE "CALIFORNIA SUBDIVISION MAP ACT", AS AMENDED, AND THE CITY OF MARINA SUBDIVISION ORDINANCE, TITLE 16 OF THE MUNICIPAL CODE HAVE BEEN COMPLIED WITH.

BRIAN McMINN DATE
P.E. 64143
PLS 8116
CITY ENGINEER AND SURVEYOR, CITY OF MARINA

PLANNING COMMISSION STATEMENT

I, GUIDO PERSICONE, COMMUNITY DEVELOPMENT DEPARTMENT DIRECTOR, CITY OF MARINA HEREBY STATE THAT I HAVE EXAMINED THIS MAP; THAT THE SUBDIVISION AS SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP AND ANY APPROVED ALTERATIONS THEREOF, AS APPROVED BY THE CITY COUNCIL OF THE CITY OF MARINA ON THE THAT ALL PROVISIONS OF THE "CALIFORNIA SUBDIVISION MAP ACT", AS AMENDED, AND THE CITY OF MARINA SUBDIVISION ORDINANCE, TITLE 16 OF THE MUNICIPAL CODE HAVE BEEN COMPLIED WITH.

GUIDO PERSICONE
COMMUNITY DEVELOPMENT DEPARTMENT DIRECTOR
CITY OF MARINA

COUNTY RECORDER'S STATEMENT

FILED THIS DAY OF , 20, AT M.
IN VOLUME OF CITIES AND TOWNS, AT PAGE
AT THE REQUEST OF CHICAGO TITLE COMPANY.

NAME
ASSESSOR – RECORDER – COUNTY CLERK
MONTEREY COUNTY, CALIFORNIA

BY:
ASSISTANT / DEPUTY COUNTY RECORDER

SERIAL NUMBER FEE:

THE DUNES PROMENADE - PHASE 1B
FINAL MAP

ALL OF LOTS 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, 24 AND A PORTION OF THE REMAINDER PARCEL AS SHOWN ON THE PARCEL MAP FILED IN VOLUME 23 OF PARCEL MAPS AT PAGE 27.
ALSO RESULTANT LOT 11 AND RESULTANT LOT 20 AS DESCRIBED IN CERTIFICATES OF COMPLIANCE RECORDED NOVEMBER 29, 2021 AS INSTRUMENT NOS. 2021079916, 2021079918
OFFICIAL RECORDS OF MONTEREY COUNTY
CITY OF MARINA, COUNTY OF MONTEREY

WOOD RODGERS
BUILDING RELATIONSHIPS ONE PROJECT AT A TIME
4670 WILLOW ROAD, STE 125 TEL 925.847.1556
PLEASANTON, CA 94588 FAX 925.847.1557

FEBRUARY 2023
Sheet 1 of 8
JOB # 3089015

SOILS REPORT STATEMENT

THE SOILS REPORT DATED FEBRUARY 21, 2007 PREPARED BY BERLOGAR GEOTECHNICAL CONSULTANTS HAS BEEN SPECIFICALLY PREPARED FOR THIS SITE. IN ADDITION, A SUPPLEMENTAL LETTER WAS PREPARED BY BERLOGAR SETEVENS & ASSOCIATES DATED OCTOBER 14, 2021 STATING THAT THE ABOVE CITED REPORT IS STILL VALID. ADDITIONAL SUPPLEMENTAL LETTERS WERE PREPARED BY BERLOGAR STEVENS & ASSOCIATES DATED JANUARY 25, 2022 AND JANUARY 26, 2022 FOR THE SITE AND ARE ON FILE AT THE CITY OF MARINA PUBLIC WORKS DEPARTMENT.

EASEMENTS AND DOCUMENTS OF RECORD

AN EASEMENT FOR GAS PIPELINE AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED JUNE 1, 1976 AS REEL 1058, PAGE 16 OF OFFICIAL RECORDS.

AN EASEMENT FOR WATER AND WASTE WATER DISTRIBUTION SYSTEMS AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED OCTOBER 26, 2001 AS RECORDER SERIES NO. 2001090792 OF OFFICIAL RECORDS. IN CONNECTION HEREWITH WE NOTE: "ASSIGNMENT OF EASEMENTS ON FORMER FORT ORD AND ORD MILITARY COMMUNITY, COUNTY OF MONTEREY, AND QUITCLAIM DEED FOR WATER AND WASTEWATER SYSTEMS" RECORDED OCTOBER 26, 2001 IN RECORDER SERIES NO. 2001090793 AND RE-RECORDED NOVEMBER 7, 2001 AS RECORDER SERIES NO. 2001094583, OFFICIAL RECORDS.

THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED COVENANT TO RESTRICTION USE OF PROPERTY ENVIRONMENTAL RESTRICTION RECORDED SEPTEMBER 22, 2003 AS RECORDER SERIES NO. 2003115235 OF OFFICIAL RECORDS.

THE TERMS AND PROVISIONS AND RIGHTS AND EASEMENTS AS CONTAINED IN THE DOCUMENT ENTITLED QUIT CLAIM DEED FOR A PORTION OF THE FORMER FORT ORD, MONTEREY COUNTY, CALIFORNIA RECORDED MARCH 15, 2004 AS RECORDER SERIES NO. 2004023330 OF OFFICIAL RECORDS. DOCUMENT RE-RECORDED JULY 9, 2004 AS RECORDER SERIES NO. 2004072094 OF OFFICIAL RECORDS. AND RECORDED APRIL 23, 2004 AS RECORDER'S SERIES NO. 2004039810 AND ALSO RECORDED SEPTEMBER 1, 2005 AS RECORDER SERIES NO. 2005091639 IN CONNECTION HEREWITH WE NOTE: "FIXTURES EXCHANGE AGREEMENT" EXECUTED BY AND BETWEEN THE UNITED STATES OF AMERICA ACTING BY AND THROUGH THE SECRETARY OF THE ARMY AND MARINA COMMUNITY PARTNERS, LLC AND RECORDED AUGUST 10, 2006 AS RECORDER SERIES NO. 2006070407, OFFICIAL RECORDS.

THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED MEMORANDUM OF DISPOSITION AND DEVELOPMENT AGREEMENT RECORDED AUGUST 5, 2005 AS RECORDER SERIES NO. 2005080653 AND 2005080654 OF OFFICIAL RECORDS.

THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF MARINA AND MARINA COMMUNITY PARTNERS, LLC FOR THE UNIVERSITY VILLAGES PROJECT RECORDED AUGUST 5, 2005 AS RECORDER SERIES NO. 2005080655 AND 2005080656 OF OFFICIAL RECORDS. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "NOTICE OF EXTENSION OF TERMINATION DATE OF DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF MARINA AND MARINA COMMUNITY PARTNERS, LLC FOR THE UNIVERSITY VILLAGES PROJECT [NOW CALLED THE DUNES ON MONTEREY BAY]" RECORDED APRIL 10, 2020 AS INSTRUMENT NO. 2020017976 OF OFFICIAL RECORDS.THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "PARTIAL ASSIGNMENT AND ASSUMPTION AGREEMENT" RECORDED DECEMBER 10, 2021 AS INSTRUMENT NO. 221082675 OF OFFICIAL RECORDS.

THE TERMS AND PROVISIONS AND RIGHTS AND EASEMENTS AS CONTAINED IN THE DOCUMENT ENTITLED QUIT CLAIM DEED FOR A PORTION OF THE FORMER FORT ORD, MONTEREY COUNTY, CALIFORNIA RECORDED SEPTEMBER 22, 2006 AS RECORDER SERIES NO. 2006083359 OF OFFICIAL RECORDS.

THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "OPERATION AND EASEMENT AGREEMENT" RECORDED FEBRUARY 21, 2007 AS RECORDER SERIES NO. 2007014247 OF OFFICIAL RECORDS.

NOTES

1. ALL DISTANCES SHOWN HEREON ARE EXPRESSED IN FEET AND DECIMALS THEREOF.
2. EASEMENT LINES CREATED BY THE MAP ARE PARALLEL OR PERPENDICULAR TO LOT LINE UNLESS LABELED OTHERWISE.
3. TOTAL AREA FOR THIS "THE DUNES PROMENADE – PHASE 1B" SUBDIVISION IS 19.21± AC. GROSS, CONSISTING OF 18 RESIDENTIAL LOTS, 6 COMMERCIAL LOTS, 6 PRIVATE STREET/DRIVE AISLE LOTS, 1 PRIVATE OPEN SPACE LOT, 1 LOT RESERVED FOR FUTURE DEVELOPMENT, AND 4 PUBLIC STREET LOTS DEDICATED TO THE CITY OF MARINA. THIS IS A TOTAL OF 36 LOTS AND EXISTING 9TH STREET IOD (DOC#2018042488).
4. MONUMENTS MARKED LS 9177 WILL BE SET AT ALL LOT CORNERS. A 1" BRASS DISK WILL BE SET AT A 1.00 FOOT PROJECTION OF PROPERTY LINE ONTO THE SIDEWALK FOR FRONT CORNERS THAT ARE LOCATED AT THE BACK OF SIDEWALK. CORNERS THAT ARE LOCATED IN ASPHALT WILL BE MARKED WITH A MAG NAIL AND WASHER. CORNERS THAT ARE LOCATED IN DIRT/SAND WILL BE MARKED WITH A REBAR AND CAP.

BASIS OF BEARINGS

THE BEARING NORTH 01°40'00" EAST BETWEEN FOUND MONUMENTS LOCATED ON 2ND AVENUE AS SHOWN ON THE PARCEL MAP FILED IN VOLUME 23 OF PARCELS MAPS, AT PAGE 27 WAS USED AS THE BASIS OF BEARINGS FOR THIS MAP.

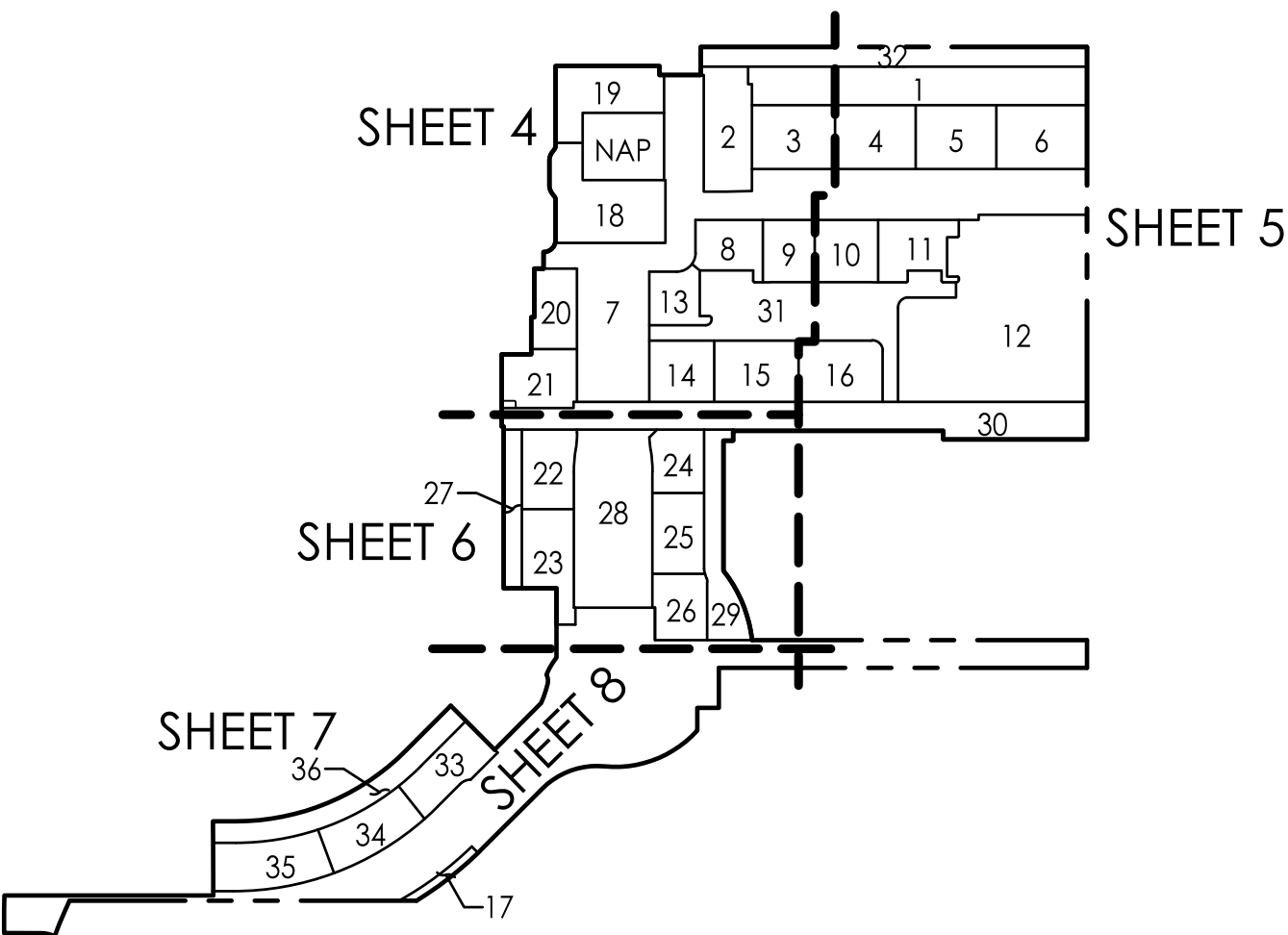
SURVEYOR'S STATEMENT

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 JANUARY 2022 IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE, AT THE REQUEST OF THE SUBDIVIDER NAMED IN THE OWNER'S STATEMENT ON THIS MAP. I HEREBY STATE THAT THAT ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, OR WILL BE SET IN THOSE POSITIONS ON OR BEFORE DECEMBER 31, 2024, 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.

RYAN M. SEXTON
LS 9177



SHEET INDEX



LEGEND

⊙	FOUND 2" DISC IN MONUMENT WELL RCE 29811 UNLESS OTHERWISE NOTED
●	FOUND MONUMENT AS NOTED
⊙	SET DISK IN CONCRETE STAMPED L.S. 9177 IN MONUMENT WELL
⊗	SET MONUMENT AS DESCRIBED IN NOTES
---	SUBDIVISION BOUNDARY
=====	PUBLIC STREET RIGHT OF WAY
=====	LOT LINE
-----	OLD LOT LINE
-----	CENTERLINE
-----	EASEMENT LINE CREATED ON THIS MAP
-----	EXISTING EASEMENT
////	RESTRICTED ACCESS
(M-M)	MONUMENT TO MONUMENT
(OA)	OVERALL DISTANCE
(R)	RADIAL LINE
SF	SQUARE FEET
SFNF	SEARCHED FOR NOT FOUND
(I)	RECORD REFERENCE
(T)	TIE LINE
NAP	NOT A PART OF THIS SUBDIVISION
IEE	PRIVATE INGRESS/EGRESS EASEMENT
PUE	PUBLIC UTILITY EASEMENT
SWE	SIDEWALK EASEMENT
PRUE	PRIVATE UTILITY EASEMENT
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
AE	ACCESS EASEMENT (SEE OWNER'S STATEMENT)

DEDICATION CERTIFICATE

THE CITY OF MARINA SHALL, AS REQUIRED BY CALIFORNIA GOVERNMENT CODE SECTION 66477.5 IN ITS PRESENT FORM OR AS IT MAY FROM TIME TO TIME BE AMENDED, RECONVEY THOSE PORTIONS OF LAND DESIGNATED HEREON AS "LOT 7, LOT 28, LOT 30, AND LOT 32" WITHIN THE SUBDIVISION IN FEE FOR PUBLIC USE, TO THE SUBDIVIDERS NAMED BELOW, THEIR SUCCESSORS, HEIRS OR ASSIGNEES, IF THE CITY COUNCIL OF THE CITY OF MARINA SHOULD DETERMINE THAT THE SAME PUBLIC PURPOSE FOR WHICH SAID LOTS WERE DEDICATED NO LONGER EXISTS OR THAT SAID LOTS OR ANY PORTION THEREOF IS NOT NEEDED FOR PUBLIC UTILITIES, EXCEPT FOR ALL OR ANY PORTIONS OF THE PROPERTY THAT IS STILL REQUIRED FOR THAT SAME PUBLIC PURPOSE OR FOR PUBLIC UTILITIES.

SUBDIVIDER

MARINA COMMUNITY PARTNERS, LLC, A DELAWARE LIMITED LIABILITY COMPANY
BY: SHEA HOMES LIMIT PARTNERSHIP, A CALIFORNIA LIMITED PARTNERSHIP
IS MANAGING MEMBER
ADDRESS: 2850 SHEA CENTER DRIVE
LIVERMORE, CA 94551

THE DUNES PROMENADE - PHASE 1B
FINAL MAP

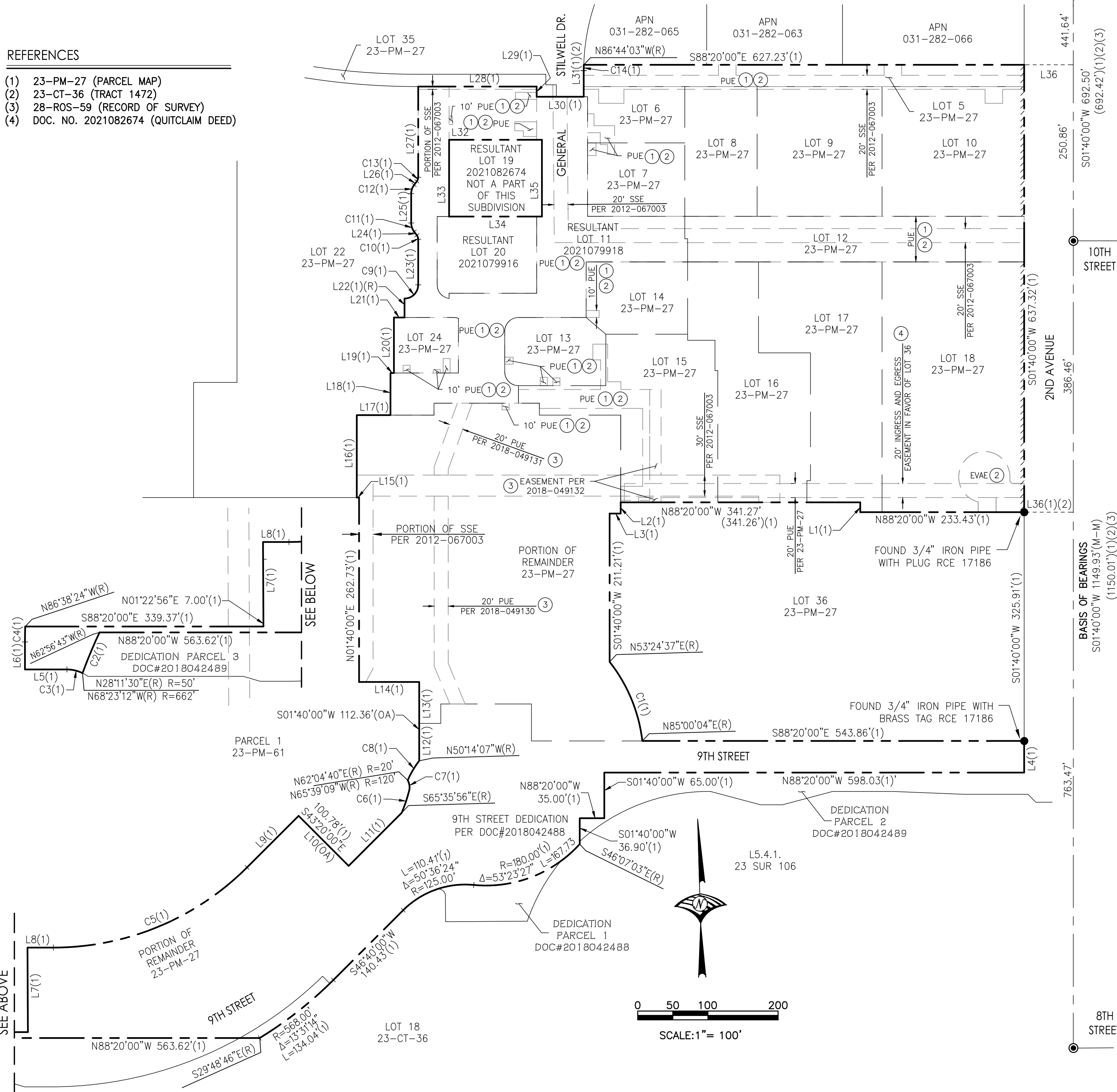
ALL OF LOTS 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, 24 AND A PORTION OF THE REMAINDER PARCEL AS SHOWN ON THE PARCEL MAP FILED IN VOLUME 23 OF PARCEL MAPS AT PAGE 27.
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OFFICIAL RECORDS OF MONTEREY COUNTY
CITY OF MARINA, COUNTY OF MONTEREY



FEBRUARY 2023
Sheet 2 of 8
JOB # 3089015

REFERENCES

- (1) 23-PM-27 (PARCEL MAP)
(2) 23-CT-36 (TRACT 1472)
(3) 28-ROS-59 (RECORD OF SURVEY)
(4) DOC. NO. 2021082674 (QUITCLAIM DEED)



LINE TABLE - THIS SHEET ONLY		
NO.	BEARING	LENGTH
L1	N1°40'00\"E	14.00'
L2	N1°40'00\"E	16.00'
L3	N88°20'00\"W	15.75'
L4	N1°40'00\"E	45.05'
L5	N88°18'35\"W	59.69'
L6	N1°39'00\"E	39.18'
L7	N1°22'56\"E	113.42'
L8	N88°20'00\"W	36.97'
L9	N46°40'00\"E	103.88'
L10	N43°20'00\"W	107.78'
L11	N46°39'59\"E	106.91'
L12	N1°40'00\"E	53.37'
L13	N1°40'00\"E	58.99'
L14	N88°20'00\"W	85.63'
L15	N88°20'00\"W	3.26'
L16	N1°40'00\"E	117.46'
L17	N88°20'00\"W	48.00'
L18	N1°40'00\"E	60.00'
L19	N88°20'00\"W	4.96'
L20	N1°40'00\"E	79.04'
L21	N88°20'00\"W	15.04'
L22	N1°40'00\"E	27.00'
L23	N1°40'00\"E	64.93'
L24	N35°29'08\"W	6.48'
L25	N1°40'00\"E	41.79'
L26	N38°49'09\"E	6.48'
L27	N1°40'00\"E	129.22'
L28	N88°20'00\"W	168.76'
L29	N1°40'00\"E	14.50'
L30	N88°20'00\"W	67.00'
L31	N1°40'00\"E	37.18'
L32	N88°20'00\"W	132.25'
L33	N1°40'08\"E	109.32'
L34	N88°20'00\"W	132.26'
L35	N1°40'00\"E	109.32'
L36	N88°20'00\"W	70.00'

CURVE TABLE - THIS SHEET ONLY			
NO.	RADIUS	DELTA	LENGTH
C1	224.00'	31°35'27\"	123.51'
C2	662.00'	5°26'29\"	62.87'
C3	50.00'	26°30'06\"	23.13'
C4	735.00'	1°42'36\"	21.94'
C5	390.00'	45°00'00\"	306.31'
C6	228.00'	8°19'59\"	33.16'
C7	20.00'	43°59'25\"	15.36'
C8	120.00'	15°25'02\"	32.29'
C9	19.50'	90°00'00\"	30.63'
C10	9.50'	37°09'09\"	6.16'
C11	20.50'	37°09'09\"	13.29'
C12	20.50'	37°09'09\"	13.29'
C13	9.50'	37°09'09\"	6.16'
C14	298.00'	1°35'57\"	8.32'

NOTES

- ① EXISTING EASEMENT PER 23-PM-27
② EXISTING EASEMENT TO BE EXTINGUISHED BY THIS MAP
③ EXISTING EASEMENT TO BE QUITCLAIMED BY SEPARATE INSTRUMENT
④ EXISTING EASEMENT SUPERCEDED BY THIS MAP. PRIVATE ACCESS EASEMENT THAT WILL NOW BE IN A PUBLIC STREET (LOT 30 ON THIS MAP)

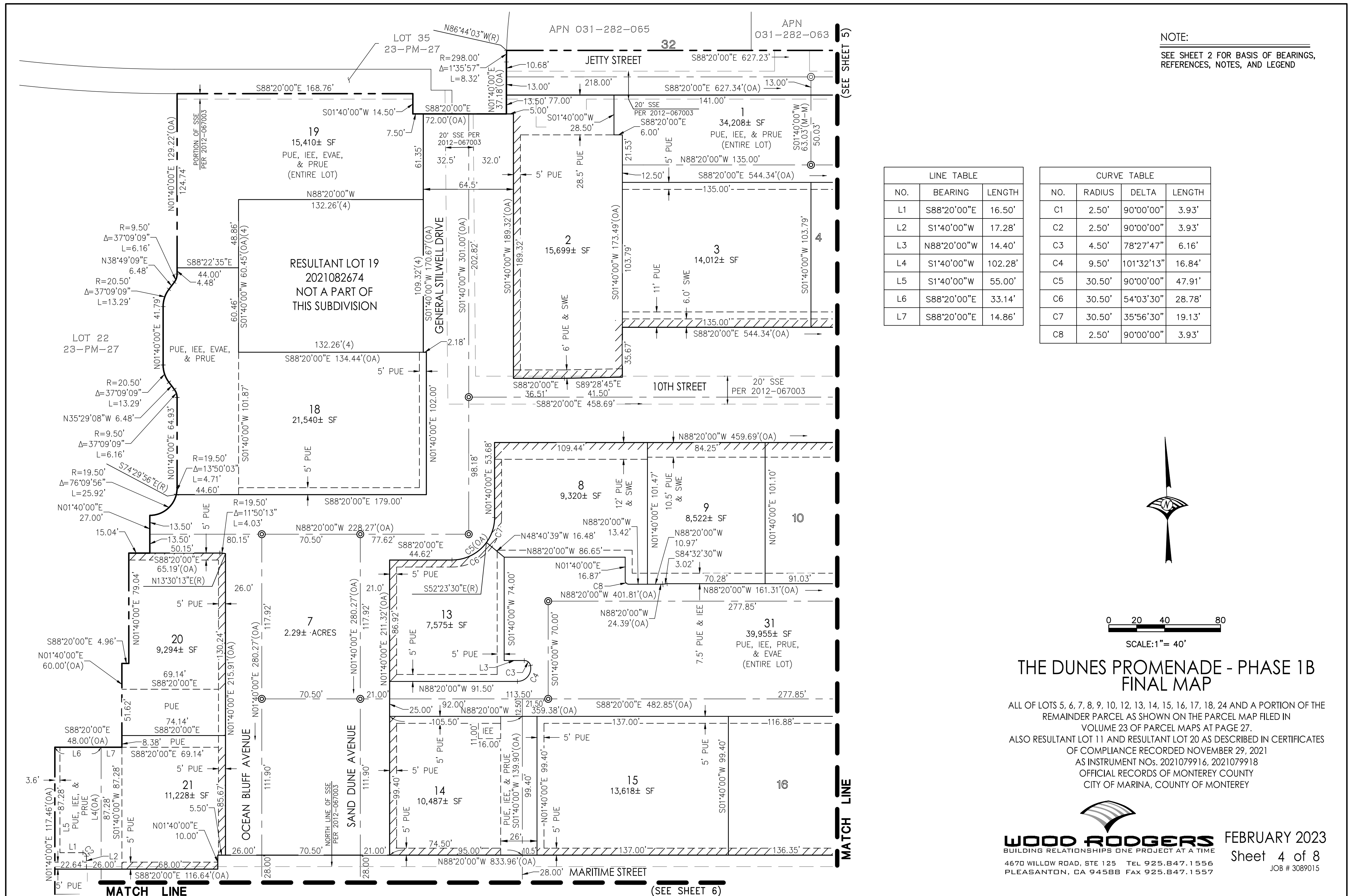
THE DUNES PROMENADE - PHASE 1B
FINAL MAP

ALL OF LOTS 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, 24 AND A PORTION OF THE REMAINDER PARCEL AS SHOWN ON THE PARCEL MAP FILED IN VOLUME 23 OF PARCEL MAPS AT PAGE 27.
ALSO RESULTANT LOT 11 AND RESULTANT LOT 20 AS DESCRIBED IN CERTIFICATES OF COMPLIANCE RECORDED NOVEMBER 29, 2021 AS INSTRUMENT NOS. 2021079916, 2021079918
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CITY OF MARINA, COUNTY OF MONTEREY

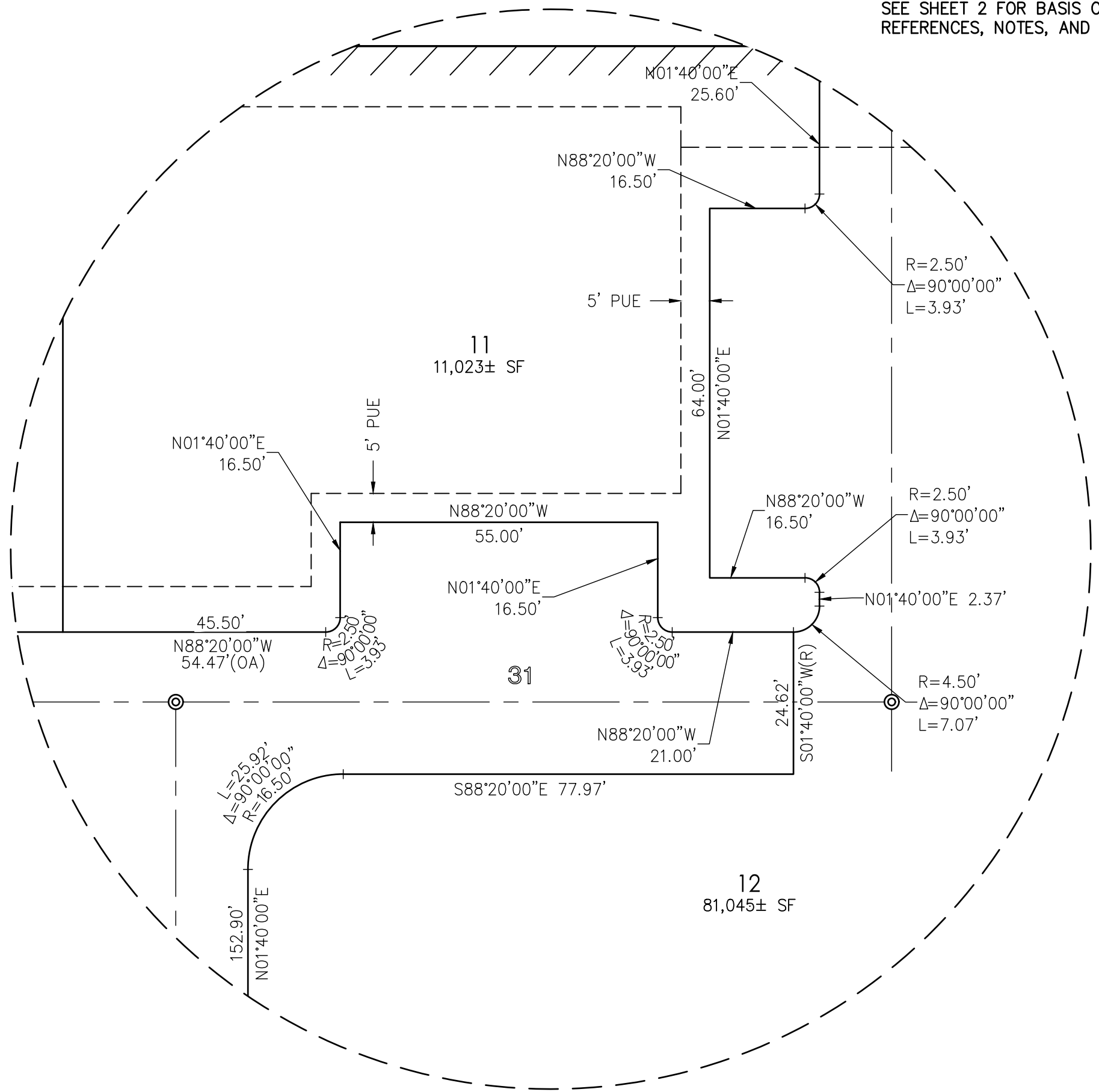
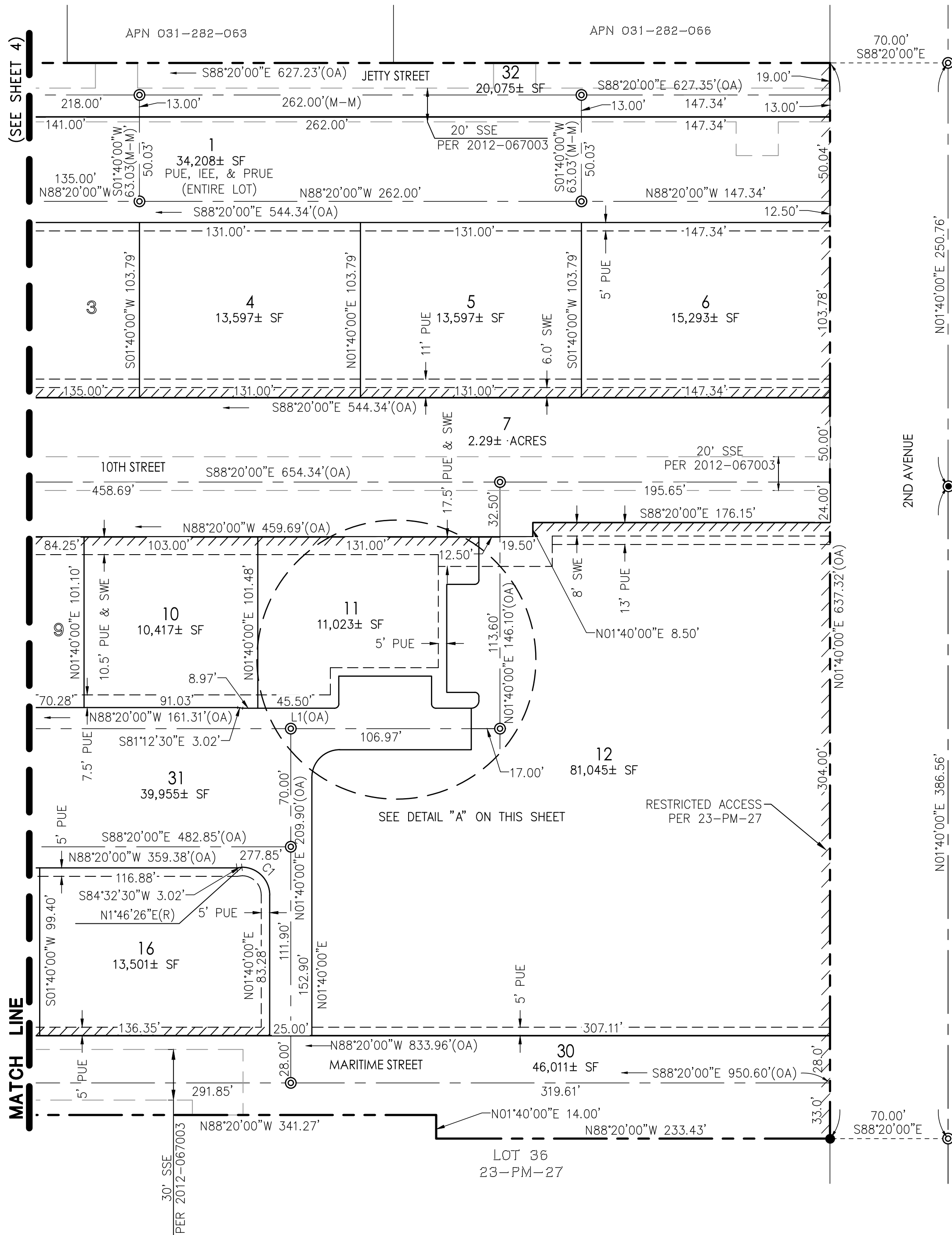


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PLEASANTON, CA 94588 FAX 925.847.1557

FEBRUARY 2023
Sheet 3 of 8
JOB # 3089015



NOTE:
SEE SHEET 2 FOR BASIS OF BEARINGS,
REFERENCES, NOTES, AND LEGEND



DETAIL A
SCALE: 1"=20'

LINE TABLE		
NO.	BEARING	LENGTH
L1	N88°20'00"W	54.47'

CURVE TABLE			
NO.	RADIUS	DELTA	LENGTH
C1	16.50'	89°53'34"	25.89'

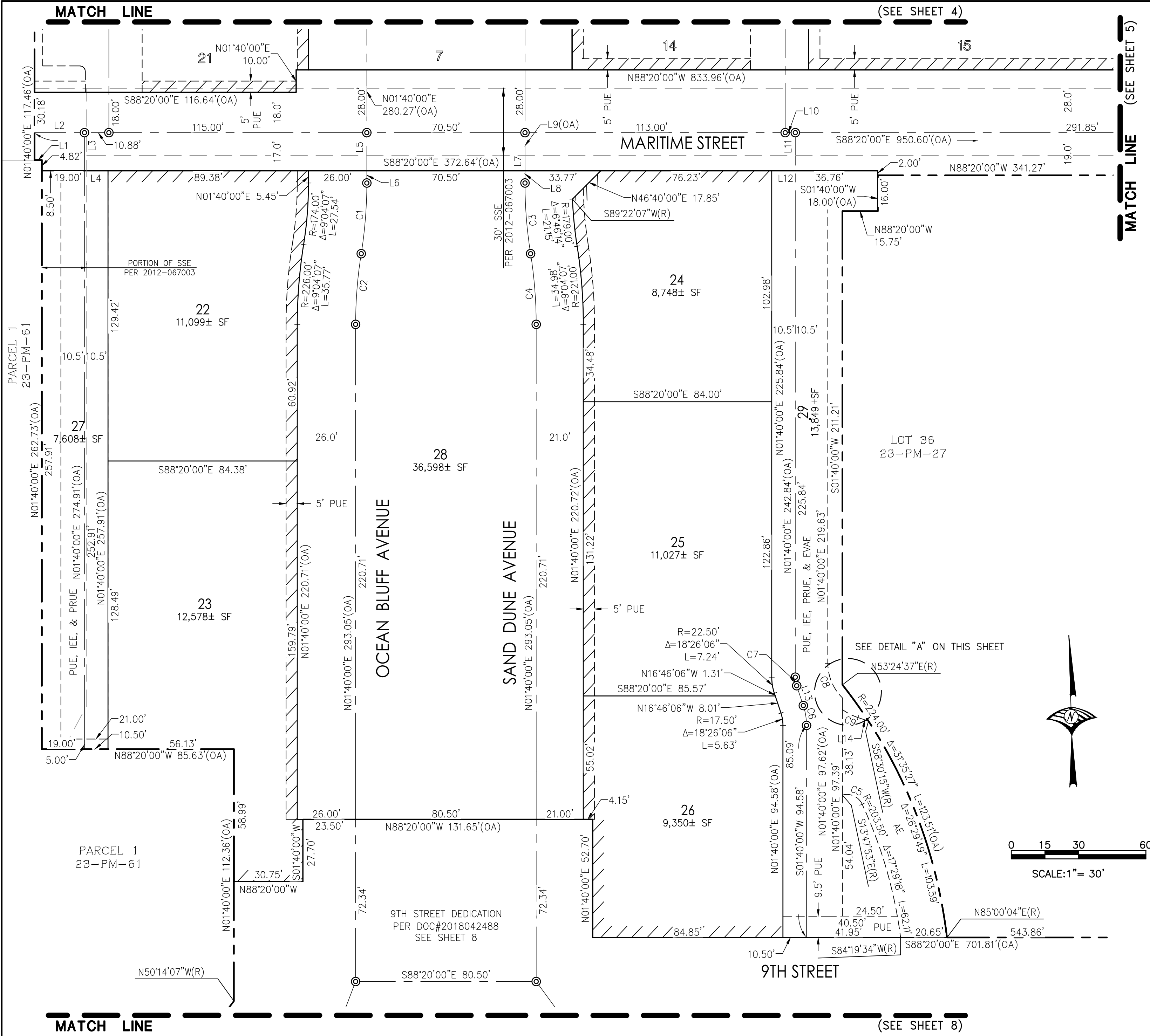
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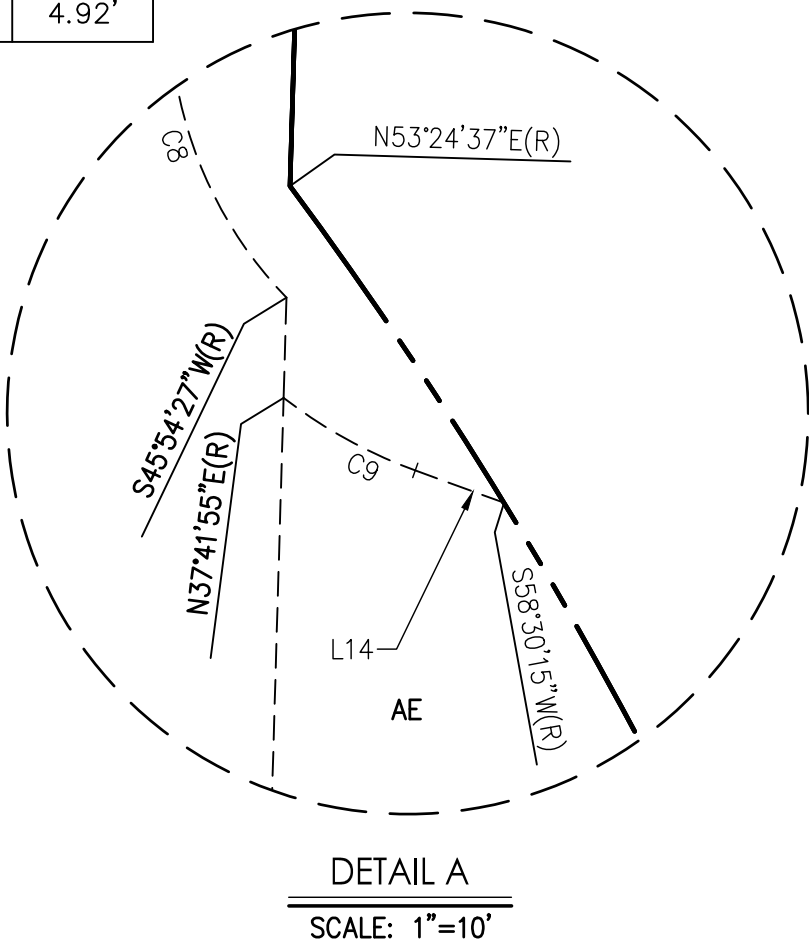
FEBRUARY 2023
Sheet 5 of 8
JOB # 3089015



NOTE:
SEE SHEET 2 FOR BASIS OF BEARINGS,
REFERENCES, NOTES, AND LEGEND

LINE TABLE		
NO.	BEARING	LENGTH
L1	N88°20'00"W	3.26'
L2	S88°20'00"E	22.26'
L3	N1°40'00"E	17.00'
L4	S88°20'00"E	10.50'
L5	N1°40'00"E	17.00'
L6	N1°40'00"E	5.45'
L7	N1°40'00"E	17.00'
L8	N1°40'00"E	5.45'
L9	N1°40'00"E	280.27'
L10	S88°20'00"E	4.50'
L11	N1°40'00"E	17.00'
L12	S88°20'00"E	10.50'
L13	S16°46'06"E	9.32'
L14	N69°57'51"W	4.92'

CURVE TABLE			
NO.	RADIUS	DELTA	LENGTH
C1	200.00'	9°04'07"	31.66'
C2	200.00'	9°04'07"	31.66'
C3	200.00'	9°04'07"	31.66'
C4	200.00'	9°04'07"	31.66'
C5	7.50'	80°38'10"	10.56'
C6	28.00'	18°26'06"	9.01'
C7	12.00'	18°26'06"	3.86'
C8	21.50'	45°45'33"	17.17'
C9	25.50'	17°39'45"	7.86'

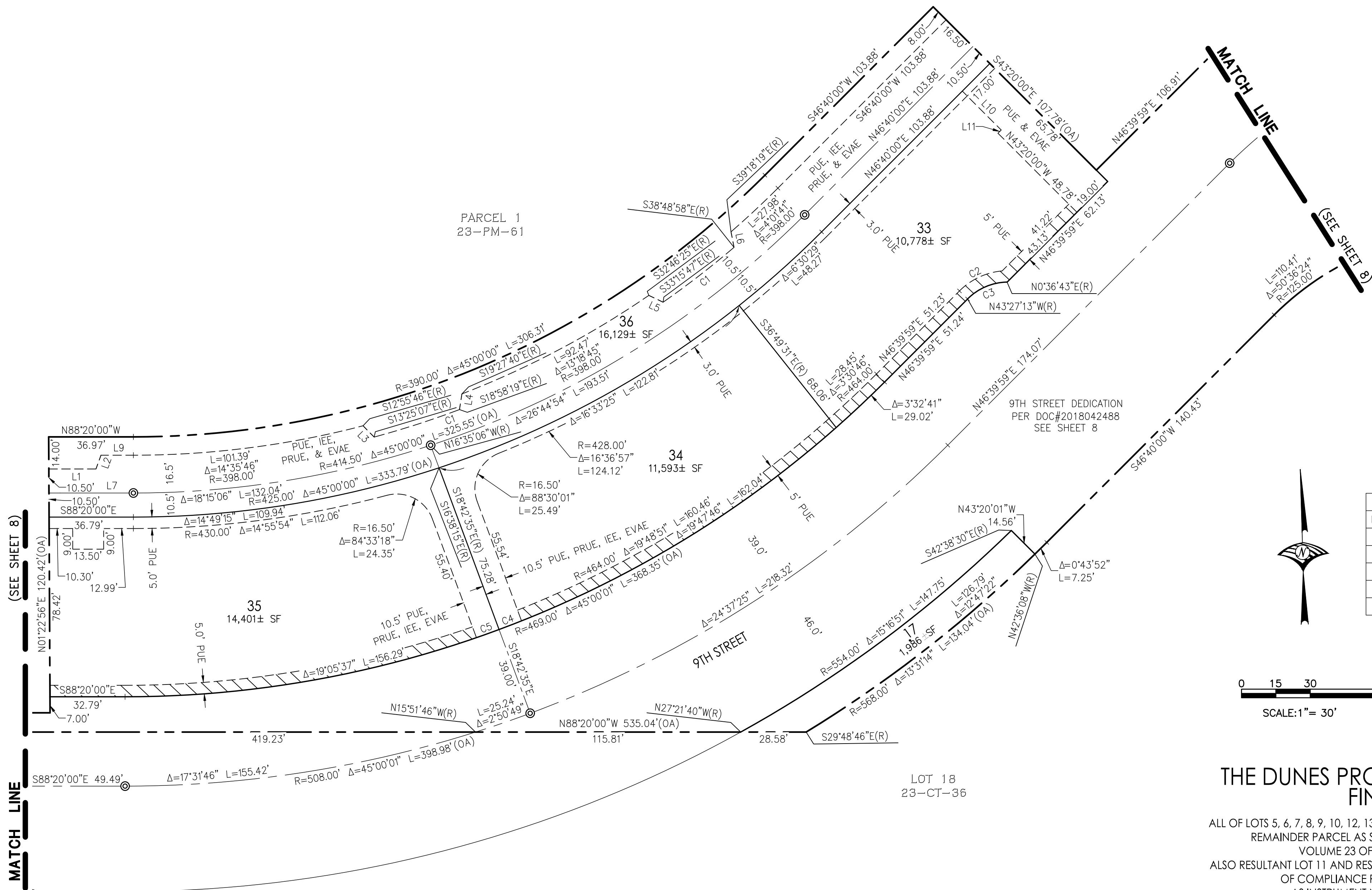


THE DUNES PROMENADE - PHASE 1B
FINAL MAP

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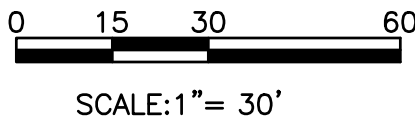
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FEBRUARY 2023
Sheet 6 of 8
JOB # 3089015



LINE TABLE - THIS SHEET ONLY		
NO.	BEARING	LENGTH
L1	N88°20'00"W	20.58'
L2	N21°40'00"E	6.39'
L3	N42°53'17"W	6.91'
L4	N10°29'50"E	6.91'
L5	N62°43'56"W	6.91'
L6	N9°20'49"W	6.91'
L7	N88°20'00"W	36.85'
L8	S18°42'35"E	10.51'
L9	N88°20'00"	14.13'
L10	N43°20'00"W	24.00'
L11	N46°40'00"E	2.00'

CURVE TABLE - THIS SHEET ONLY			
NO.	RADIUS	DELTA	LENGTH
C1	404.00'	5°33'11"	39.16'
C2	30.00'	40°03'15"	20.97'
C3	25.00'	44°03'56"	19.23'
C4	469.00'	1°16'58"	10.50'
C5	469.00'	1°16'59"	10.50'



THE DUNES PROMENADE - PHASE 1B FINAL MAP

ALL OF LOTS 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, 24 AND A PORTION OF THE
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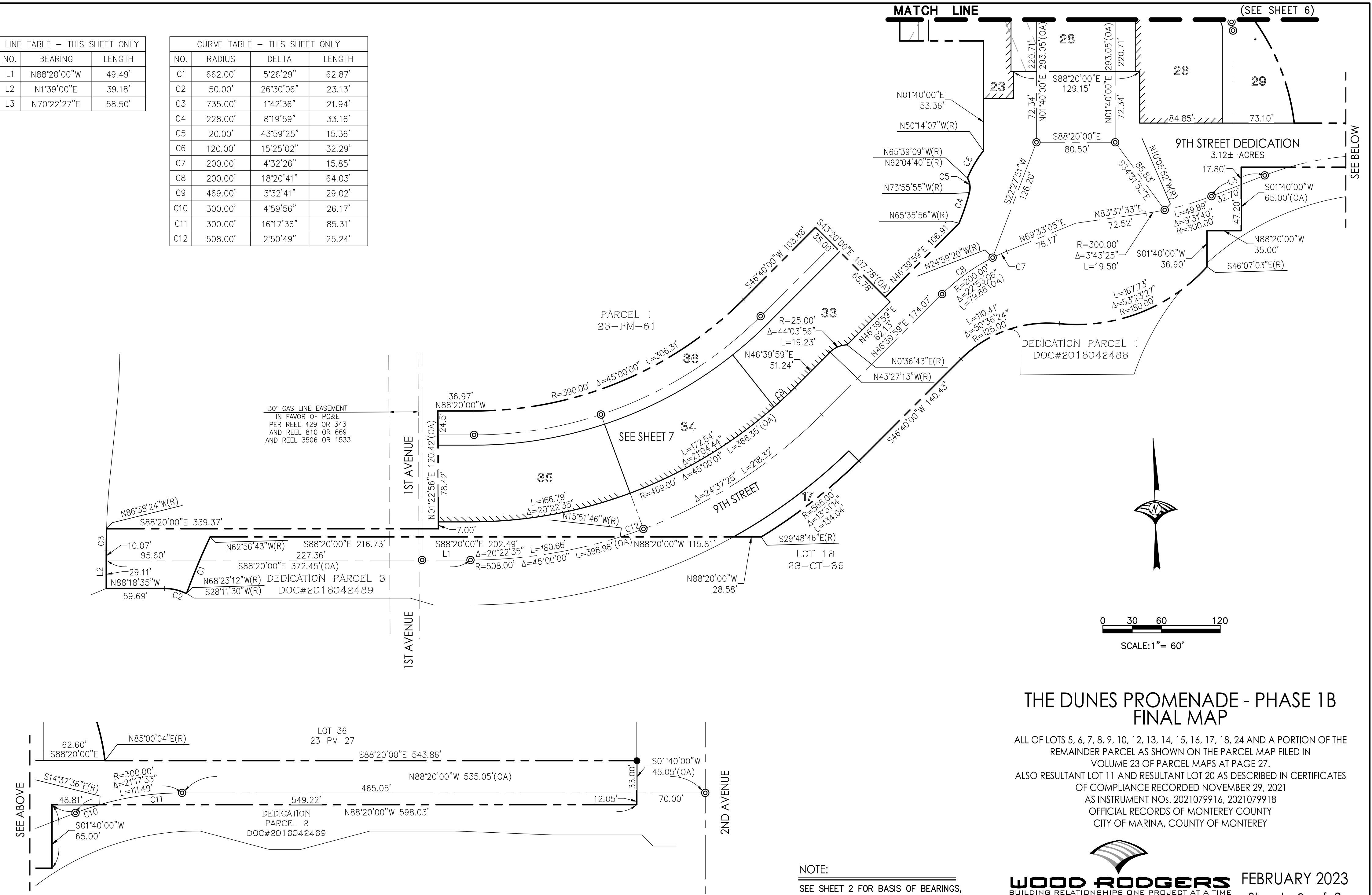


FEBRUARY 2023
Sheet 7 of 8
JOB # 3089015

NOTE:
SEE SHEET 2 FOR BASIS OF BEARINGS,
REFERENCES, NOTES, AND LEGEND

LINE TABLE - THIS SHEET ONLY		
NO.	BEARING	LENGTH
L1	N88°20'00"W	49.49'
L2	N1°39'00"E	39.18'
L3	N70°22'27"E	58.50'

CURVE TABLE - THIS SHEET ONLY			
NO.	RADIUS	DELTA	LENGTH
C1	662.00'	5°26'29"	62.87'
C2	50.00'	26°30'06"	23.13'
C3	735.00'	1°42'36"	21.94'
C4	228.00'	8°19'59"	33.16'
C5	20.00'	43°59'25"	15.36'
C6	120.00'	15°25'02"	32.29'
C7	200.00'	4°32'26"	15.85'
C8	200.00'	18°20'41"	64.03'
C9	469.00'	3°32'41"	29.02'
C10	300.00'	4°59'56"	26.17'
C11	300.00'	16°17'36"	85.31'
C12	508.00'	2°50'49"	25.24'



THE DUNES PROMENADE - PHASE 1B
FINAL MAP

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FEBRUARY 2023
Sheet 8 of 8
JOB # 3089015

NOTE:
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REFERENCES, NOTES, AND LEGEND



December 21, 2022

Doug Yount
Project Director Shea Homes
2630 Shea Center Drive
Livermore, CA 94551

Subject: Water Review – MCP Phase 1B Promenade

Dear Mr. Yount:

We have completed a review of the background materials provided for the entire Dunes on Monterey Bay developments and have made projections of water demands throughout. 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 and modeling.

Introduction:

The City of Marina (City), California is currently reviewing conditions for the final map for Phase 1B Promenade of The Dunes on Monterey Bay Project (proposed Project). The proposed Project is a part of the area formerly known as the University Villages Project. The Applicant is Marina Community Partners, and the proposed Project is located in the Dunes Specific Plan Area.

Bowman was contracted by Marina Community Partners to determine the water demand projected for the proposed Project, based on local unit water demand factors, and the adequacy of water supplies allocated to the proposed Project.

Bowman staff prepared this review with assistance from and coordination with Marina Community Partners.

Bowman staff previously prepared water demand estimates for the City that are used in this evaluation. Water demand reviews for Phases 1 and 2 of 1C were completed in February and October 2015 and the review of Phase 3 of 1C was completed in March 2016. Review of Phase 2 East was completed in January of 2021.

Task 1 Water Demand Analysis

A land use spreadsheet was developed to inventory the type and amount of residential and non-residential land uses in each phase of the planned development. The current Department of Real Estate exhibits (DREs) and tentative maps were used for each project phase to estimate the water demands. Once verified, the inventory was imported into the existing water model. The water demand estimate was used to determine the total water demands of the project's residential and nonresidential uses with interior and exterior uses identified separately.

The running tally of water usage both initial and current was updated to facilitate future accounting of water demands and remaining water supplies for future phases of project development.



The following is an estimate of the overall water demands for the proposed phases of development:

- Total interior potable water demand for residential properties of approximately 137.95 AFY
- Total interior potable water demand for nonresidential properties of approximately 134.00AFY
- Total exterior potable water demand for residential properties of approximately 66.70 AFY
- Total exterior water demand for nonresidential properties of approximately 34.52 AFY

A more detailed presentation of the estimated water demands for the proposed Project is provided below.

Baseline Conditions:

On May 17, 2005, the City approved an allocation of 593 AFY of potable water in Resolution No. 2005-129 Reserving and Allocating Water Sufficient to Serve the Marina Community Partners (MCP) Development.

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 Flush / Ultra low flow toilets
- Hot water return pumping
- Conversion to the use of recycled water for exterior non-residential demands as available.

Potable water will remain in use for landscape irrigation until recycled water becomes available to the Project.

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 (Marina Village Retail Center)
- Planning Area B1 (Cinemark Theater and Fast Casual Dining Project)
- Phase 1C Residential
- University Village Apartments

A detailed breakdown of the water allocation for the Specific Plan Area including built projects and proposed projects is included in Table 1.

Table 1: Development Projects in MCP Specific Plan Area

	A	B	C	D D=A-(B+C)
Project	Allocation (AFY)	Constructed or Approved Project (AFY)	Proposed Project (AFY)	Remaining Allocation (AFY)
Dunes on Monterey Bay Project Total	593			593
Constructed or Approved Projects				
Dunes Shopping Center (Planning Area 1A)		34.0		
CHOMP		22.3		
QSR (Shops at the Dunes) Planning Area B1		12.9		
Cinemark (allocation included in Retail/Restaurant Planning Area B1)		9.3		
UV Apartments		14.0		
Phase 1C Residential		69.5		
VA Clinic		20.7		
Springhill Suites		30.0		
Phase 2 East Residential		55.3		
Subtotal of Approved Projects		268		325
Proposed Projects				
Phase 1 Promenade Residential			19.8	
Phase 1 Promenade Non-Residential (Buildings A-G)			<u>20.0</u>	
Subtotal Proposed Projects			39.8	285.2
Future Projects				
Phase 1B Office Park			12.7	
Phase 2/3 BMR Housing			41.2	
Phase 2 West Residential			18.0	
Phase 2 West Non-Residential			3.4	
Phase 2 North Residential			15.9	
Phase 2 North Non-Residential			66.9	
Phase 3 Residential			66.9	
Phase 3 Non-residential			<u>53.1</u>	
Subtotal of Future Project			278.1	7.1

Phase 1B Promenade Water Supply Availability

A water demand estimate was prepared 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. Provided in Exhibit 1 is the site plan for the Project.

Table 2 presents a list of the residential land uses planned for construction in the proposed Project.

Table 2: Proposed Project Description – Phase 1B- Promenade

Product Type	Numbers of Units	Approximate Lot Area (Square-feet)
Livework	13	1,740
Townhomes	18	1,740
Flats	53	1,740
TOTAL	84	

Tables 3a-3d provides a more detailed presentation of the estimated water demands for the proposed Project. 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 water demand for the proposed Project of 39.84 AFY that includes residential units, and parks and common areas.

Table 3a Phase 1B Promenade Residential Interior Water Demands

Type of Resident	Number of Units	Occupancy (People/Unit)	Interior Unit Demand (GPC/Day)	Demand (AFC/Y)	Unit Residential Demand (AFY)	Residential Interior Demand (AFY)	Phase 1B Promenade Proposed Project (AFY)
Phase 1B Promenade	84						14.25
Livework	13	2.5	55.0	0.06	0.154	2.00	
Townhomes	18	2.8	55.0	0.06	0.173	3.11	
Flats	53	2.8	55.0	0.06	0.173	9.17	



Table 3b Phase 1B Promenade Residential Exterior Water Demands

Type of Resident	Irrigable Area (Acres)	% Irrigable Area	% Turf Planting	Turf Irrigated Area (Acres)	% Ornamental Plantings	Ornamental Irrigated Area (Acres)	Unit Turf Demand (AFY/Unit)	Unit Ornamental Demand (AFY/Unit)	Unit Exterior Factor (AFY/Unit)	Exterior Demand (AFY/Unit)
Phase 1B Promenade										5.59
Livework	0.024	100%	7%	0.002	86%	0.012	0.026	0.020	0.084	1.092
Townhomes	0.016	100%	0%	0	100%	0.012	0.026	0.020	0.057	1.029
Condos	0.024	100%	7%	0.012	41%	0.023	0.048	0.036	0.065	3.471

Table 3c Phase 1B Promenade Non-Residential Interior Water Demands

Land Use	Interior Area (Sq.ft.)	Unit Demand (AFY/unit)	Interior Demands (AFY)
Phase 1B Promenade	32,686		17.49
Retail Buildings F, G	9,893	0.00005	0.49
Grocery	12,500	0.00033	4.13
5 Restaurants Buildings B, C, D, E	10,293	0.00125	12.87



Table 3d Phase 1B Promenade Non-Residential Exterior Open Space and Parks Water Demands

Land Use	Irrigable Area (Acres)	% Turf Planting	Turf Irrigated Area (Acres)	% Ornamental Plantings	Ornamental Irrigated Area (Acres)	Unit Turf Demand (AFY/Unit)	Unit Ornamental Demand (AFY/Unit)	Exterior Demand (AFY/Unit)
Phase 1B Promenade	1.53		0.35		1.01	0.840	0.714	2.50
Commercial Landscape	0.96	12%	0.113	88%	0.848	0.22	1.49	1.71
Linear Park	0.40	59%	0.236	41%	0.164	0.50	0.29	0.79

Conclusion:

An adequate supply of water appears to be available to the Phase 1B Promenade Project based on the allocation of 593 AFY of Potable Water to the MCP Specific Plan Area per City Resolution No. 2005-129. Table 4 provides a summary of the current water entitlements. Approximately 45% of the Specific Plan water allocation has been constructed or approved. Approximately 54% of the Specific Plan water allocation or 317.9 AFY is available for future or proposed development. There remains approximately 1 % or 7.1 AFY of the total water supply currently not allocated after proposed development. By current estimates, 34.52 AFY of the Specific Plan water allocation will remain with the implementation of recycled water irrigation. Therefore, there is adequate water available for The Dunes Phase 1B Promenade

Table 4 Summary of Water Allocation

Summary Area	AFY
TOTAL SUPPLY (MCP UV Entitlement)	593.0
Running Tally of Development Built to Date	268
Phase 1 Projection	52.6
Phase 2 Projection	104.1
Phase 2/3 Affordable Housing	41.2
Phase 3 Projection	120.0
Total Proposed Demand	317.9
Water Balance =	7.1
TOTAL SUPPLY – (Running Tally+Phase 1+2+3)	
Less Non-Residential Exterior (Convert to Recycled Water)	34.52
TOTAL AFTER RECYCLED Water CREDIT	41.62

James Brezack

James Brezack
Director, Water Resources
Bowman

Christie Robinson

Christie Robinson
Senior Planner
Bowman

March 8, 2023

Item No. **13c**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of March 21, 2023

**CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2023-,
APPROVING THE PHASE 1B-PROMENADE FINAL MAP FOR THE
DUNES ON MONTEREY BAY DEVELOPMENT PROJECT
SUBDIVISION (FORMERLY UNIVERSITY VILLAGE), AND
AUTHORIZING THE CITY CLERK TO EXECUTE THE FINAL MAP
ON BEHALF OF CITY SUBJECT TO FINAL REVIEW AND APPROVAL
BY THE CITY ATTORNEY**

RECOMMENDATION:

It is requested that the City Council:

1. Consider adopting Resolution No. 2023-, approving the Phase 1B-Promenade Final Map for The Dunes on Monterey Bay Development Project Subdivision (“**EXHIBIT A**”), and;
2. Consider authorizing the City Clerk 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 December 17, 2019, the City Council adopted Resolution No. 2019-140, approving an Operating Agreement as an administrative amendment of the Development Agreement clarifying and modifying certain project approvals for Specific Plan for The Dunes on Monterey Bay including to the Conforming Clarifications to the Schedule of Performance.

At the regularly scheduled meeting of May 3, 2022, the City Council adopted Resolution No. 2022-52, approving an amendment to University Village Phase 1B-Promenade Tentative Map.

ANALYSIS:

Shea Homes Limited Partnership (“Developer”) has submitted the Phase 1B-Promenade Final Map to the City for review and approval. Staff has reviewed the improvement plans for construction and approved the plans on December 13, 2022. It has been determined that the Tentative Map Conditions of Approval as amended have been met. The Community Development Director and Public Works Director will sign off on the Final Map in accordance with their respective findings.

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 Final Map. The Agreement is on this Agenda as a separate item for consideration of approval.

A review of water supply availability to serve Phase 1B-Promeande also been provided by Bowman Consulting Group (dated December 21, 2022) (“**EXHIBIT B**”) pursuant to Section II A of the University Villages Settlement Agreement with Save Our Peninsula Committee. The required finding is made in the draft Resolution.

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

FISCAL IMPACT:

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

CONCLUSION:

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

Respectfully submitted,

Edrie Delos Santos, P.E.
Senior Engineer
Public Works Department
City of Marina

REVIEWED/CONCUR:

Brian McMinn, P.E., P.L.S.
Public Works Director/City Engineer
City of Marina

Layne P. Long
City Manager
City of Marina