

RESOLUTION NO. 2023-123

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA
APPROVING THE PHASE 2 WEST/RESIDENTIAL 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, including 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 19, 2020, the City Council adopted Resolution No. 2020-53, approving an amendment to University Village Phase 2 Tentative Map, and;

WHEREAS, at the regularly scheduled meeting of October 6, 2022, the City Council adopted Resolution No. 2022-119, approving an amendment to residential lots, open space and roadways in Phase 2 West, and;

WHEREAS, Shea Homes Limited Partnership (“Developer”) has submitted the Phase 2 West/Residential Final Map to the City for review and approval. Staff has reviewed the improvement plans for construction and approved the plans on March 28, 2023. 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 2 West/Residential also been provided by Bowman Consulting Group (dated November 3, 2023) (“**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 the 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;

WHEREAS, the approval and recordation of the Phase 2 West Final Map was generally anticipated and analyzed in the Environmental Impact Report (EIR) prepared for the project and certified by the City Council through its adoption of Council Resolution No. 2005-127 on May 31, 2005 (SCH # 2004091167).

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Marina does hereby approve the Phase 2 West/Residential 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 November 2023, by the following vote:

AYES: COUNCIL MEMBERS: Visscher, McCarthy, 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 WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS A CLEAR TITLE TO SAID PROPERTY, AND WE CONSENT TO PREPARATION AND RECORDATION OF SAID MAP AND SUBDIVISION AS SHOWN WITHIN THE SUBDIVISION BOUNDARY LINES.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED IN FEE FOR PUBLIC PURPOSES:

- FOR ROAD AND UTILITY PURPOSES, THOSE PORTIONS OF LAND DESIGNATED HEREON AS 1ST AVENUE, SEA SHELL AVENUE, SCHOONER AVENUE, OCEAN BLUFF AVENUE, SAND DUNE AVENUE AND 6TH/7TH STREET WITHIN THE SUBDIVISION. THIS OFFER OF DEDICATION TO THE CITY OF MARINA IS IRREVOCABLE; SUBJECT TO THE RESERVATION OF THE RIGHT TO MAINTAIN LANDSCAPING, IRRIGATION AND STORM DRAIN WITHIN SAID STREETS.
- FOR PUBLIC PARK PURPOSES, THOSE PORTIONS OF LAND DESIGNATED HEREON AS PARCELS OS-2W.3, OS-2W.4, AND OS-2W.5.

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

- PUBLIC UTILITY EASEMENTS (PUE), WHERE DESIGNATED WITHIN THE SUBDIVISION SHOWN ON THIS MAP FOR THE CONSTRUCTION, MAINTENANCE, USE, REPLACEMENT, IMPROVEMENT, AND OPERATION OF, SANITARY SEWERS, STORM DRAINS AND WATER PIPELINES, GAS AND ELECTRICITY TRANSMISSION LINES, AND TELEPHONE LINES, AND ALL THE NECESSARY APPURTENANCES THERETO, TOGETHER WITH THE RIGHT OF INGRESS TO AND EGRESS FROM SAID EASEMENT.
- FOR INGRESS AND EGRESS OF EMERGENCY VEHICLES (EMERGENCY VEHICLE ACCESS EASEMENT, OR EVAE), WITH THE SUBDIVISION, THE AREAS DESIGNATED HEREON AS PARCELS L2W.1 AND OS-2W.2.
- PUBLIC UTILITY EASEMENTS (PUE) OVER, UNDER, AND UPON THE PRIVATE STREET DESIGNATED HEREON AS PARCEL L2W.1, INCLUSIVE, FOR THE CONSTRUCTION, MAINTENANCE, USE AND OPERATION OF SANITARY SEWER, STORM DRAINS AND WATER PIPELINES, GAS AND ELECTRICITY TRANSMISSION LINES, AND TELEPHONE LINES, AND ALL THE NECESSARY APPURTENANCES THERETO, TOGETHER WITH THE RIGHT OF INGRESS TO AND EGRESS FROM SAID EASEMENT.
- STORM DRAIN EASEMENT (SDE) OVER, UNDER, AND ACROSS THE DESIGNATED AREAS AS SHOWN HEREON, FOR PUBLIC STORM DRAINAGE PURPOSES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR THE PURPOSES OF REPAIR, REPLACEMENT, AND MAINTENANCE OF STORM DRAINAGE FACILITIES. UNDERGROUND PIPING ARE TO BE MAINTAINED BY THE CITY OF MARINA. SAID AREAS OF LAND ARE TO BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES NOT SERVING THE PURPOSE OF THE EASEMENT.
- FOR PEDESTRIAN ACCESS PURPOSES, PUBLIC TRAIL EASEMENTS (TE), TO THE CITY OF MARINA, WITHIN THE SUBDIVISION, OVER PORTIONS OF PARCEL OS-2W.1, OVER PARCELS L2W.1 AND OS-2W.2, AND AREAS WHERE DESIGNATED WITHIN THE SUBDIVISION SHOWN ON THIS MAP.

THE ABOVE PUBLIC USE EASEMENT DEDICATIONS SHALL INCLUDE REASONABLE RIGHT OF INGRESS AND EGRESS OVER ADJOINING LANDS WITHIN THIS SUBDIVISION.

THE AREA DESIGNATED AS PARCEL L2W.1, INCLUSIVE, IS A PRIVATE STREET RETAINED BY OWNER FOR FUTURE TRANSFER TO AN OWNERS ASSOCIATION, SUBJECT TO THE HEREINABOVE DEDICATION OF EASEMENTS FOR PUBLIC PURPOSES.

PARCELS OS-2W.1 AND OS-2W.2 ARE "RESERVED AS PRIVATE OPEN SPACE" AND ARE TO BE OWNED AND MAINTAINED BY THE OWNERS ASSOCIATION.

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 TTTTT

SUBDIVIDER SHALL DEFEND, INDEMNIFY, AND HOLD HARMLESS THE CITY, ITS CITY COUNCIL, PLANNING COMMISSION, AGENTS, OFFICERS AND EMPLOYEES FROM ANY CLAIM, ACTION OR PROCEEDING AGAINST THE CITY OR ITS CITY COUNCIL, PLANNING COMMISSION, AGENTS, OFFICERS OR EMPLOYEES, TO ATTACK, SET ASIDE, VOID OR ANNUL AN APPROVAL OF THE CITY, ITS 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.

OWNER: SHEA HOMES LIMITED PARTNERSHIP, A CALIFORNIA LIMITED PARTNERSHIP

BY: LAYNE MARCEAU, AUTHORIZED AGENT

BY: DONALD A. HOFER, 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 TO THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF)
COUNTY OF)
ON ,
BEFORE ME, , NOTARY PUBLIC

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, AND OFFICIAL SEAL.

SIGNATURE
NOTARY PUBLIC'S NAME:
COUNTY OF BUSINESS:
COMMISSION EXPIRATION DATE:
COMMISSION NUMBER:

OWNER'S ACKNOWLEDGEMENT

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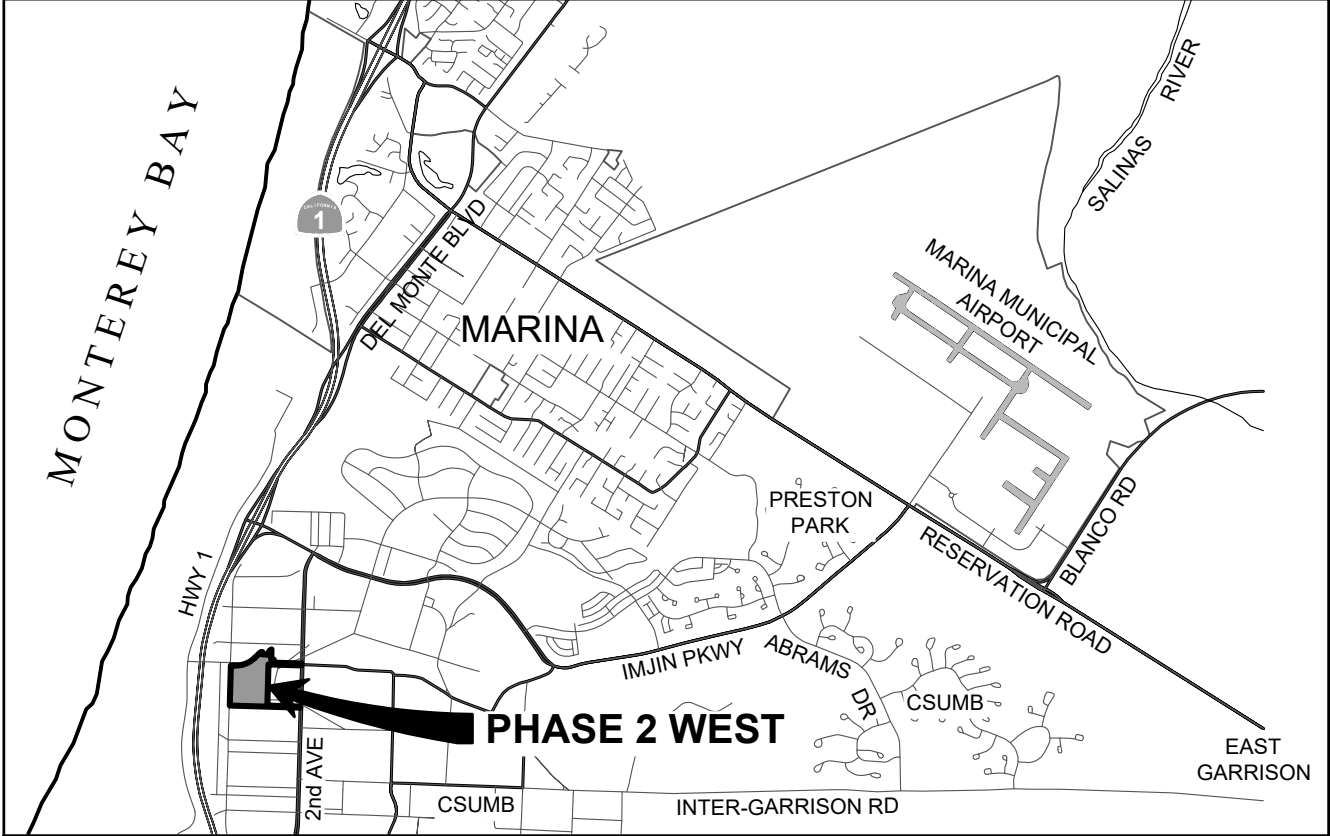
DEDICATION CERTIFICATE

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 1ST AVENUE, SEA SHELL AVENUE, SCHOONER AVENUE, OCEAN BLUFF AVENUE, SAND DUNE AVENUE, AND 6TH/7TH STREET, AND PARCELS OS-2W.3, OS-2W.4, AND OS-2W.5 WITHIN THE SUBDIVISION IN FEE FOR PUBLIC USE, TO THE SUBDIVIDER 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 PARCELS WERE DEDICATED NO LONGER EXISTS OR THAT SAID PARCELS 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.

SUBDIVIDERS: SHEA HOMES LIMITED PARTNERSHIP
2630 SHEA CENTER DRIVE
LIVERMORE, CA 94551

VICINITY MAP

SCALE: 1" = 4000'



COUNTY RECORDER'S STATEMENT

FILED THIS ____ DAY OF _____, ____ AT ____ : ____ __.M. IN VOLUME ____ OF CITIES AND TOWNS, AT PAGE ____ AT THE REQUEST OF CHICAGO TITLE COMPANY.

XOCHITL MARINA CAMACHO BY:
MONTEREY COUNTY CLERK-RECORDER
NAME: _____,DEPUTY

DOCUMENT NO.: _____ FEE:\$_____

TRACT NO. _____
THE DUNES ON MONTEREY BAY
PHASE 2 WEST

A SUBDIVISION OF A PORTION OF LOT 18 AS SHOWN ON "TRACT No. 1472, "NORTH AND WEST MARINA VILLAGE", FILED IN VOLUME 23 CITIES & TOWNS, PAGE 36, OFFICIAL RECORDS OF MONTEREY COUNTY, CALIFORNIA AND CONTAINING 18.504 ACRES

PREPARED BY:
WHITSON ENGINEERS
6 HARRIS COURT, MONTEREY CALIFORNIA

SIGNATURE OMISSIONS

PURSUANT TO THE PROVISIONS OF SECTION 66436 OF THE SUBDIVISION MAP ACT THE FOLLOWING SIGNATURES HAVE BEEN OMITTED SINCE THEIR INTEREST CANNOT RIPEN INTO A FEE.

1. THE UNITED STATES OF AMERICA, HOLDER OF MINERAL RIGHTS AND RIGHT OF SURFACE ENTRY AS RESERVED IN THE QUITCLAIM DEED FROM THE UNITED STATES OF AMERICA TO THE FORT ORD REUSE AUTHORITY RECORDED MARCH 15, 2004, INSTRUMENT NO. 2004023330, OFFICIAL RECORDS OF MONTEREY COUNTY AND AMENDED AND RE-RECORDED JULY 9, 2004, INSTRUMENT NO. 2004072094, OFFICIAL RECORDS OF MONTEREY COUNTY.
2. PACIFIC GAS AND ELECTRIC, EASEMENT HOLDER UNDER DOCUMENT RECORDED APRIL 17, 1997 IN REEL 3506, PAGE 1533, OFFICIAL RECORDS OF MONTEREY COUNTY.
3. MARINA COAST WATER DISTRICT, HOLDER OF EASEMENTS AS ASSIGNED BY INSTRUMENT NO. 2001090793, OFFICIAL RECORDS OF MONTEREY COUNTY, RECORDED OCTOBER 26, 2001, AND RE-RECORDED NOVEMBER 7, 2001 AS INSTRUMENT NO. 2001094583, OFFICIAL RECORDS OF MONTEREY COUNTY.

SOILS REPORT STATEMENT

A SOILS REPORT DATED MARCH 23, 2020 PREPARED BY BERLOGAR STEVENS & ASSOCIATES HAS BEEN SPECIFICALLY PREPARED FOR THIS SUBDIVSION AND IS ON FILE WITH THE CITY OF MARINA'S PUBLIC WORKS DEPARTMENT.

PLANNING COMMISSION STATEMENT

I, GUIDO F. PERSICONE, COMMUNITY DEVELOPMENT DEPARTMENT DIRECTOR, CITY OF MARINA, HEREBY STATE THAT I HAVE EXAMINED THIS MAP; THAT THE SUBDIVISION SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, AND ANY APPROVED ALTERATIONS THEREOF, AS APPROVED BY THE CITY COUNCIL OF THE CITY OF MARINA ON MAY 31, 2005, AND SUBSEQUENT AMENDMENTS APPROVED OCTOBER 2, 2008 AND MAY 19, 2020, THAT ALL THE PROVISIONS OF THE CALIFORNIA "SUBDIVISION MAP ACT", AS AMENDED, AND THE CITY OF MARINA SUBDIVISION ORDINANCE, TITLE 16 OF THE MARINA MUNICIPAL CODE, HAVE BEEN COMPLIED WITH.

GUIDO F. PERSICONE
COMMUNITY DEVELOPMENT DEPARTMENT DIRECTOR
CITY OF MARINA

CITY CLERK'S STATEMENT

I, ANITA SHEPHERD-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 _____, 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 PARCELS OFFERED FOR DEDICATION, IN CONFORMITY WITH THE TERMS OF THE OFFER OF DEDICATION, AND ACCEPTS ALL PUBLIC EASEMENTS OFFERED FOR DEDICATION.

BY: _____
ANITA SHEPHERD-SHARP
DEPUTY CITY CLERK OF MARINA

CITY ENGINEER & SURVEYOR'S STATEMENT

I, BRIAN McMINN, CITY ENGINEER AND CITY 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 SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE APPROVED TENTATIVE MAP AND ANY APPROVED ALTERATIONS THEREOF, AND THAT ALL PROVISIONS OF THE CALIFORNIA "SUBDIVISION MAP ACT", AS AMENDED, AND THE CITY OF MARINA SUBDIVISION ORDINANCE, TITLE 16 OF THE MARINA MUNICIPAL CODE HAVE BEEN COMPLIED WITH.

BRIAN McMINN, PE 64143, PLS 8116
CITY ENGINEER, CITY SURVEYOR
CITY OF MARINA, CALIFORNIA

DATE: _____

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION IN MAY 2022, AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF SHEA HOMES LIMITED PARTNERSHIP, A CALIFORNIA LIMITED PARTNERSHIP, IN MAY 2021. I HEREBY STATE THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, OR THAT THEY WILL BE SET IN THOSE POSITIONS ON OR BEFORE DECEMBER, 2024 AND THAT THE MONUMENTS WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP.

RICHARD P. WEBER
P.L.S. No. 8002

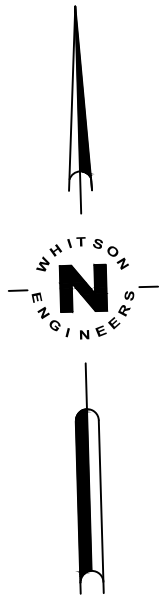
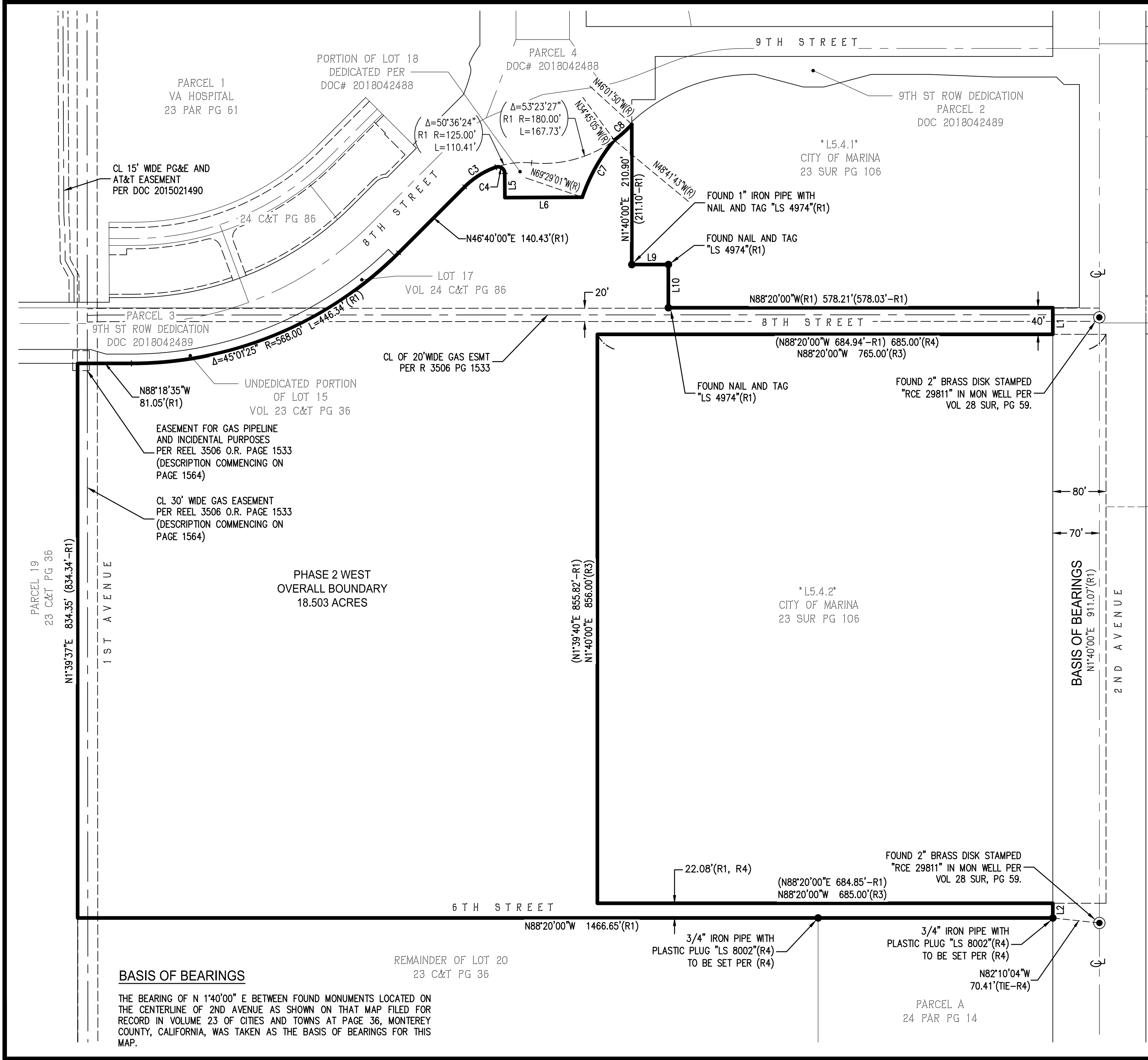
DATE: _____



TRACT NO. _____
THE DUNES ON MONTEREY BAY
PHASE 2 WEST

A SUBDIVISION OF A PORTION OF LOT 18 AS SHOWN ON "TRACT No. 1472, "NORTH AND WEST MARINA VILLAGE", FILED IN VOLUME 23 CITIES & TOWNS, PAGE 36, OFFICIAL RECORDS OF MONTEREY COUNTY, CALIFORNIA AND CONTAINING 18.504 ACRES

PREPARED BY:
WHITSON ENGINEERS
6 HARRIS COURT, MONTEREY CALIFORNIA



LINE & CURVE DATA				
No.	DELTA/BEARING	RADIUS	LENGTH	RECORD
L1	N01°40'00"E		40.00	(R1)(R3)
L2	N01°40'00"E		22.08	(R1)
C3	25°36'18"	125.00	55.86	(R1)
C4	109°04'38"	10.00	19.04	(R2)
L5	N01°20'56"E		36.44	(R2)
L6	N88°39'04"W		116.52	(R2)
C7	20°47'18"	273.00	99.05	(R2)
C8	11°16'45"	180.00	35.43	11°21'58" 180.00' (35.71'—R2)
L9	N88°20'00"W		55.00	55.00'(R1),(R3) (54.83'—R4)
L10	N01°40'00"E		65.00	65.00(R3),(R4) (65.17'—R1)

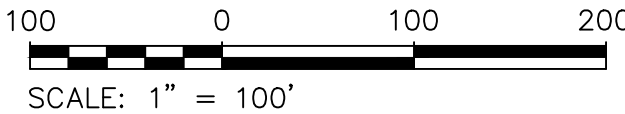
NOTE: ALL MEASURED COURSES MATCH RECORD DATA PER R1 EXCEPT WHERE OTHERWISE INDICATED

LEGEND

- SUBDIVISION BOUNDARY
- PROPERTY LINE
- EASEMENT LINE
- CENTERLINE
- TIE LINE
- RELINQUISHMENT OF ABUTTERS RIGHTS
- (T) TOTAL
- (R) RADIAL
- (M—M) MONUMENT TO MONUMENT
- (M—PL) MONUMENT TO PROPERTY LINE
- (M—CL) MONUMENT TO CENTERLINE
- ⊙ SET STANDARD STREET MONUMENT STAMPED LS 8002.
- ⊙ FOUND STANDARD STREET MONUMENT STAMPED LS 9177 PER 24 C&T 46, EXCEPT WHERE OTHERWISE NOTED.
- FOUND MONUMENT, AS NOTED.
- AC ACRES
- EVAE EMERGENCY VEHICLE ACCESS EASEMENT
- PCL PARCEL
- PUE PUBLIC UTILITIES EASEMENT
- SDE STORM DRAIN EASEMENT
- SF SQUARE FEET

REFERENCES

- R1 VOLUME 23 CITIES AND TOWNS, PAGE 36
- R2 DOC# 2018042488
- R3 VOLUME 23 SURVEYS, PAGE 106
- R4 VOLUME 24 PARCEL MAPS, PAGE 14

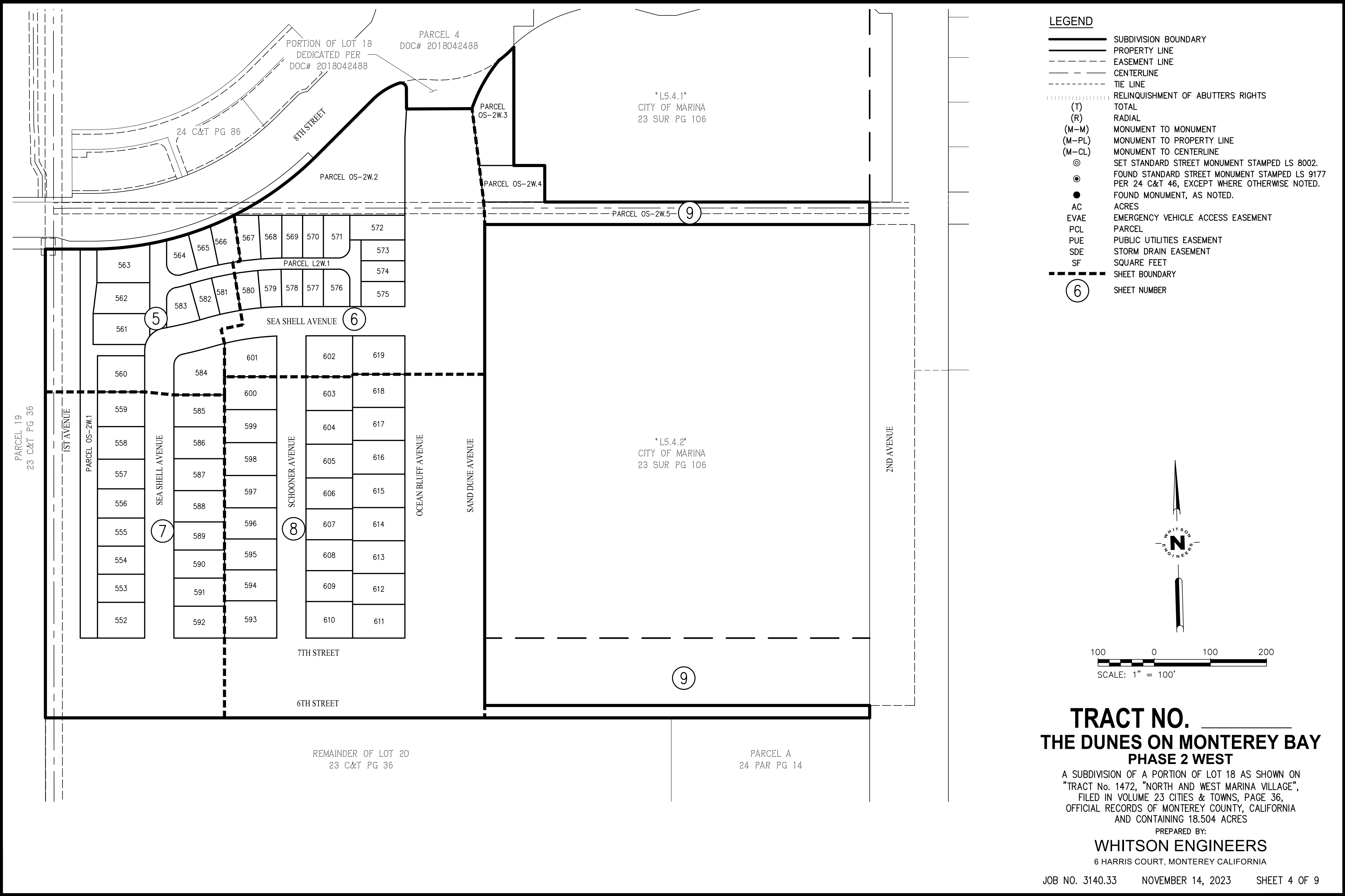


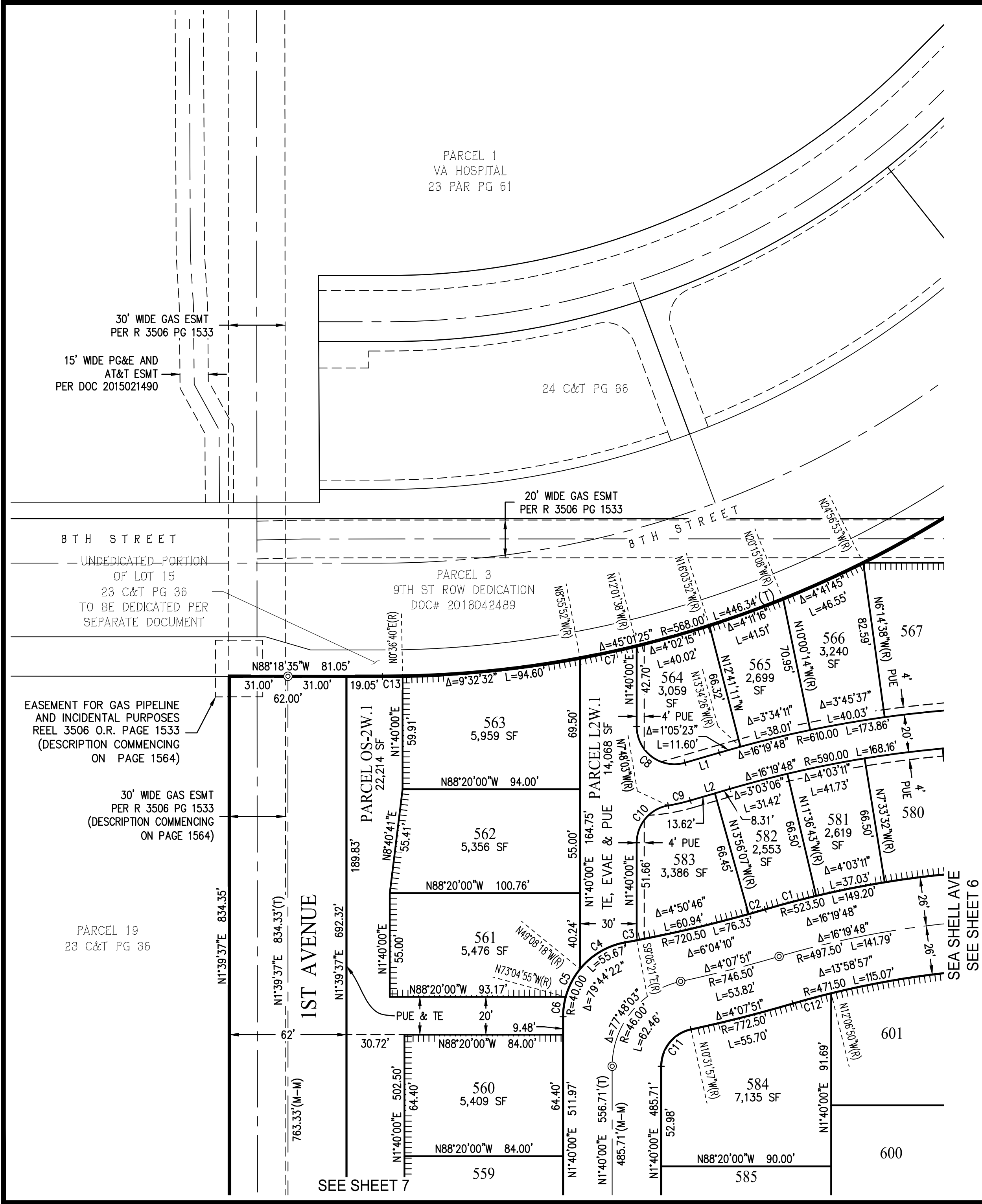
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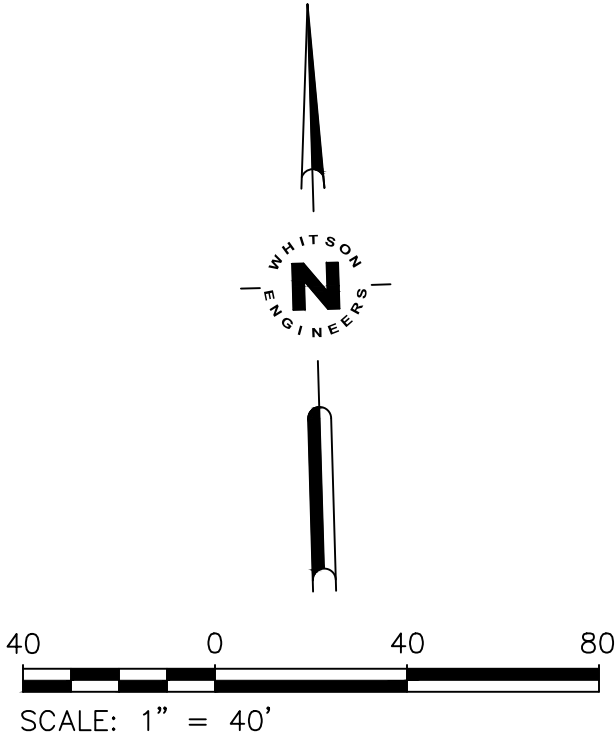


LINE & CURVE DATA			
No.	DELTA/BEARING	RADIUS	LENGTH
C1	3°03'06"	523.50	27.88
C2	0°43'41"	720.50	9.16
C3	0°29'43"	720.50	6.23
C4	40°32'40"	40.00	28.31
C5	23°56'37"	40.00	16.72
C6	15°15'05"	40.00	10.65
C7	3°05'45"	568.00	30.69
C8	106°19'48"	20.00	37.12
C9	6°51'46"	100.00	11.98
C10	80°31'57"	20.00	28.11
C11	77°48'03"	20.00	27.16
C12	2°32'59"	471.50	20.98
C13	1°04'45"	568.00	10.70
L1	N75°20'12"E		18.94
L2	N75°20'12"E		21.93

NOTE: SEE SHEET 3 OF 9 FOR OVERALL PERIMETER BOUNDARY INFORMATION.

LEGEND

- SUBDIVISION BOUNDARY
- PROPERTY LINE
- EASEMENT LINE
- CENTERLINE
- TIE LINE
- RELINQUISHMENT OF ABUTTERS RIGHTS
- (T) TOTAL
- (R) RADIAL
- (M-M) MONUMENT TO MONUMENT
- (M-PL) MONUMENT TO PROPERTY LINE
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- EVAE EMERGENCY VEHICLE ACCESS EASEMENT
- PCL PARCEL
- PUE PUBLIC UTILITIES EASEMENT
- SDE STORM DRAIN EASEMENT
- SF SQUARE FEET
- TE TRAIL EASEMENT

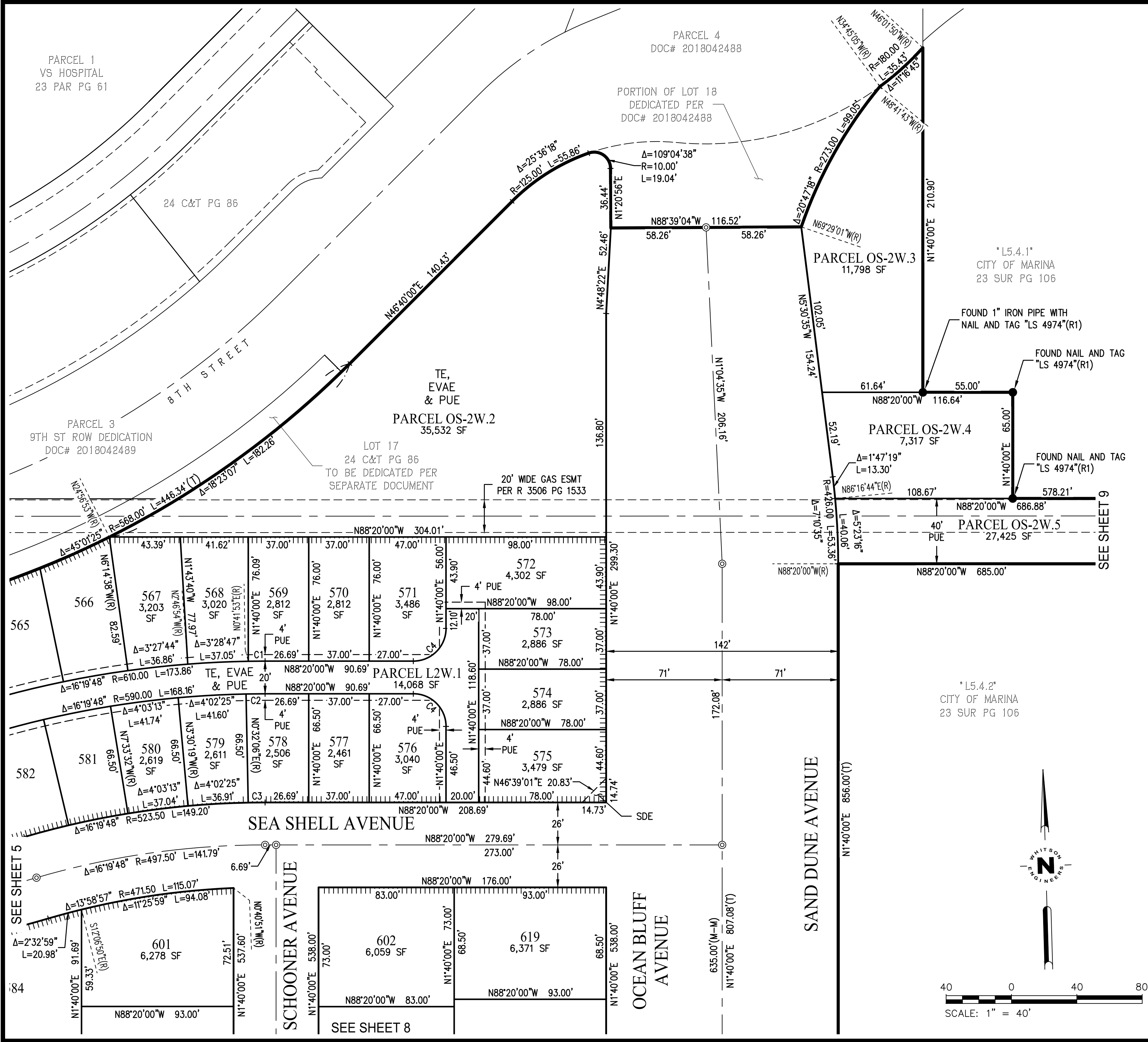


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PREPARED BY:

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6 HARRIS COURT, MONTEREY CALIFORNIA



LEGEND

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- TE TRAIL EASEMENT

CURVE TABLE			
NO.	DELTA	RADIUS	LENGTH
C1	0°58'07"	610.00'	10.31'
C2	1°07'54"	590.00'	11.65'
C3	1°07'54"	523.50'	10.34'
C4	90°00'00"	20.00'	31.42'

NOTE: SEE SHEET 3 OF 9 FOR OVERALL PERIMETER BOUNDARY INFORMATION.

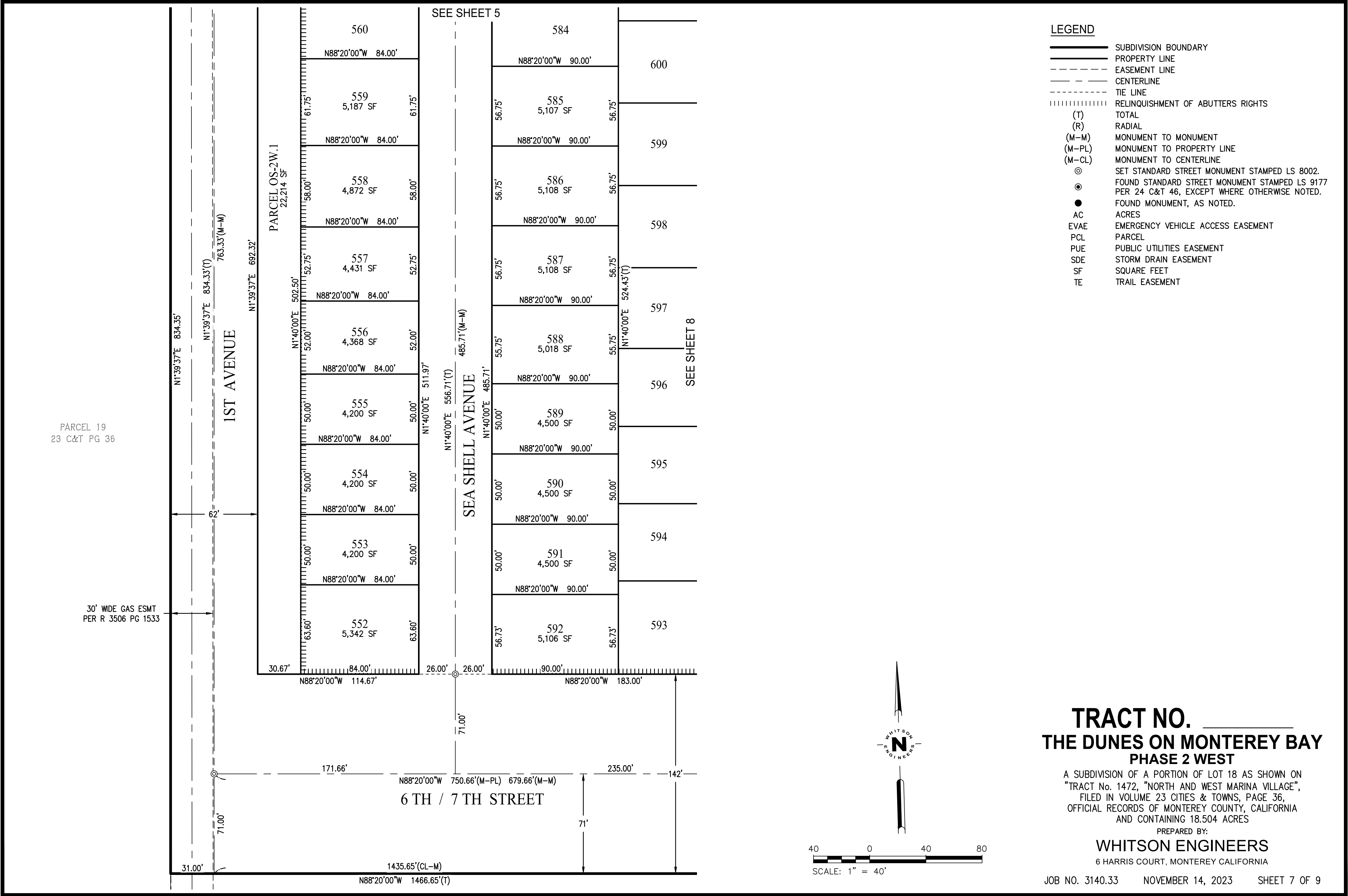
TRACT NO. 1472
THE DUNES ON MONTEREY BAY
PHASE 2 WEST

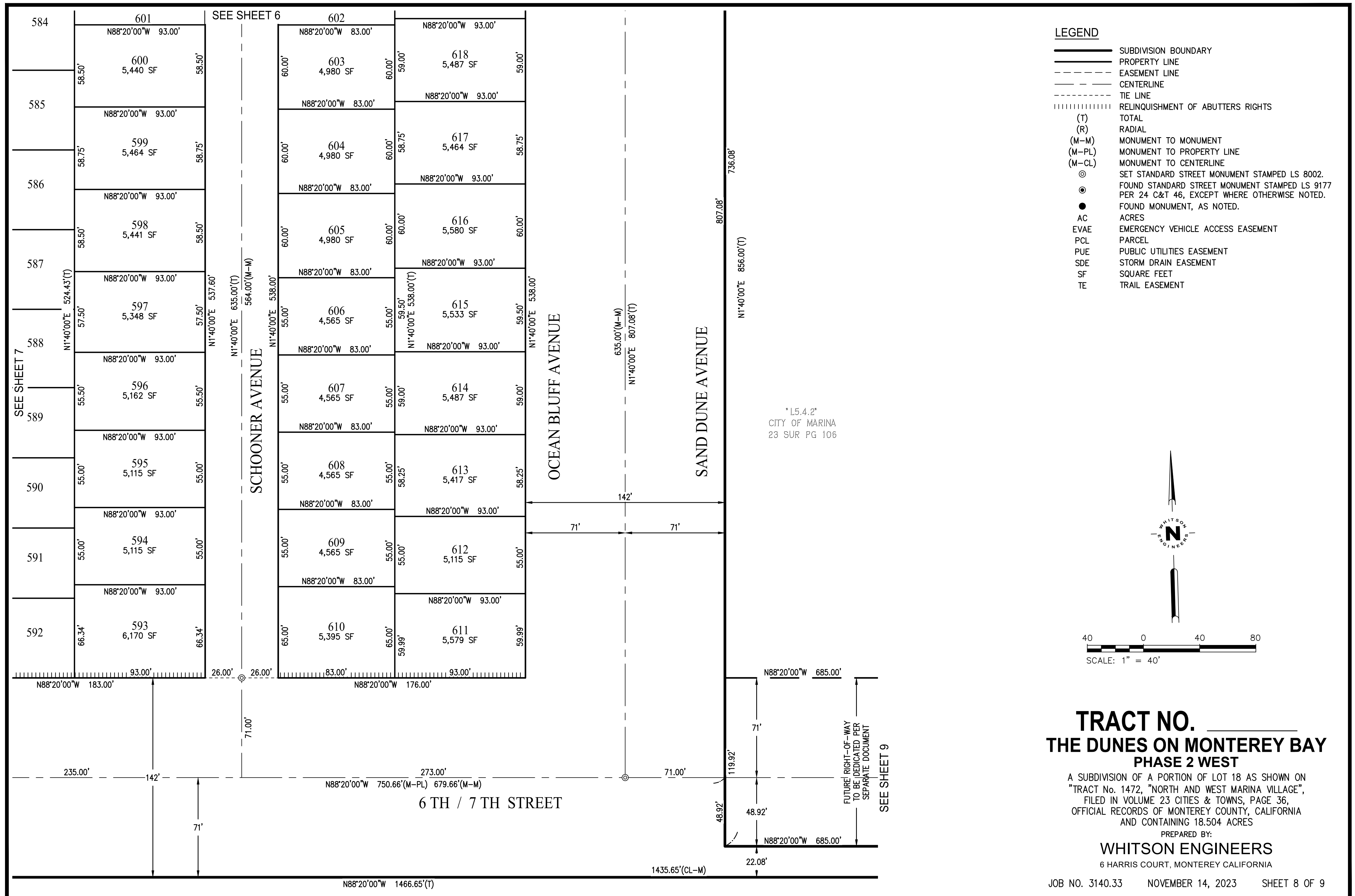
A SUBDIVISION OF A PORTION OF LOT 18 AS SHOWN ON "TRACT No. 1472, "NORTH AND WEST MARINA VILLAGE", FILED IN VOLUME 23 CITIES & TOWNS, PAGE 36, OFFICIAL RECORDS OF MONTEREY COUNTY, CALIFORNIA AND CONTAINING 18.504 ACRES

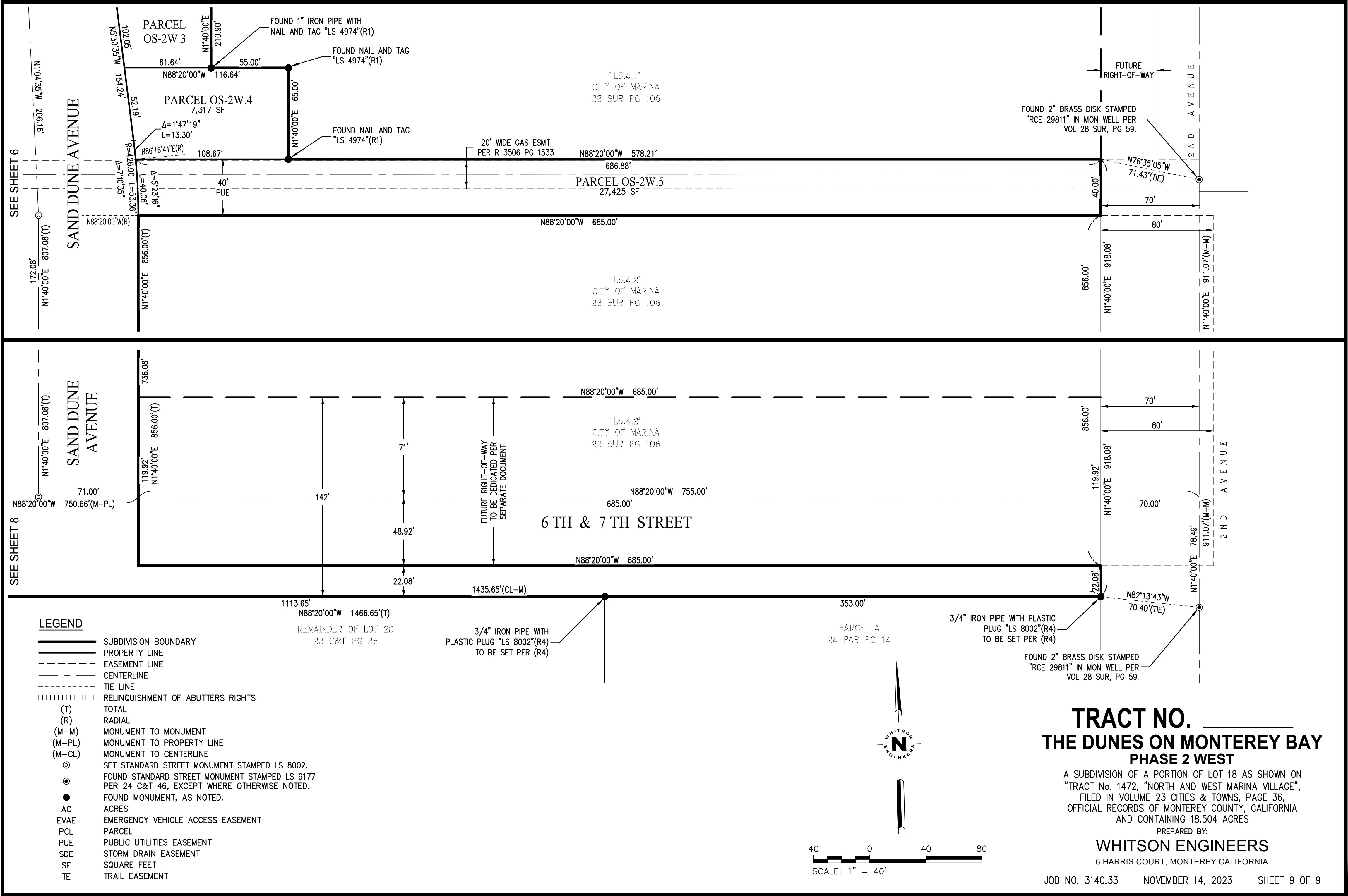
PREPARED BY:

WHITSON ENGINEERS

6 HARRIS COURT, MONTEREY CALIFORNIA







November 3, 2023

Guido Persicone
City of Marina
211 Hillcrest Avenue
Marina, CA 93933

RE: Water Study Review – MCP Phase 2 West

Dear Mr. Persicone:

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 Phase 2 of the Project. This letter provides the results of our review and modeling.

Introduction:

The proposed Project is a part of the area formerly known as the University Villages. The Applicant is Marina Community Partners, and the proposed Project is located within 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. The demand review of Phase 1B Promenade and Phase 2 North was completed in December 2022.

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 (non-residential includes both commercial uses and landscaping in common areas). Additionally, the current Department of Real Estate exhibits (DREs), tentative maps, landscape plans, and final maps, where available, were used for each project phase to estimate the water demands. The water demand estimate was used to determine the total water demand of the project's residential and nonresidential uses with interior and exterior uses identified separately.

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

- Montage Health, Marina Campus
- Veterans Administration Monterey Health Care Center
- Springhill Suites (Marriott) Hotel
- Phase 1A (Marina Village Retail Center)
- Cinemark Theater
- Planning Area B1 (Fast Casual Dining Project)
- Phase 1C Residential
- University Village Apartments
- Phase 2 East Residential

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

Table 1: Projects in MCP Dunes Project Area

Shea Homes - The Dunes Project TALLY TABLE Revised November 3, 2023 Water Allocation& Demand Verification Update				
	A	B	C	D
PROJECT	Allocation (AFY)	Constructed or Approved Project (AFY)	Proposed or Future Project (AFY)	Remaining Allocation (AFY)
Dunes on Monterey Bay Project Total	593.00			593.00
Constructed or Approved Projects				
Dunes Shopping Center (Planning Area 1A)		34.00		559.00
CHOMP / Montage		22.30		536.70
QSR (Shops at the Dunes) Planning Area B1		12.90		523.80
Cinemark		9.30		514.50
UV Apartments		14.00		500.50
Phase 1C Residential		69.50		431.00
VA Clinic		20.70		410.30
Springhill Suites (incl PSA Contract)		30.00		380.30
Phase 2 East Residential *		46.30		334.00
Phase 1B Promenade Residential		20.16		313.84
Phase 1B Promenade Commercial		29.52		284.32
Phase 2 North Commercial		59.97		224.35
BMR Site 1 Residential + Commercial		19.79		204.56
BMR Site 2 Residential + Commercial		21.42		183.14
SUB-TOTAL OF CONSTRUCTED OR APPROVED		409.86		183.14
PROPOSED PROJECTS				
Phase 2 West			22.14	
SUB-TOTAL OF PROPOSED PROJECTS			22.14	161.00
FUTURE PROJECTS				
Phase 2 North Residential			15.88	145.12
Phase 3 Residential			66.92	78.20
Phase 3 Commercial – OP3+4			53.07	25.13
Sub-Total of Proposed or Future Project			158.01	
SUB-TOTAL REMAINING ALLOCATION				25.13
SUB-TOTAL RECYCLED WATER DEMAND (ADDED TO REMAINING ALLOCATION AS CREDIT)**				17.66
TOTAL REMAINING ALLOCATION (WITH RECYCLED WATER CREDIT)				42.79
* The Phase 2 East Residential demands have been reduced per the Infrastructure Agreement with Marina Coast Water district				
** Recycled Water Demands derived from Table 3B				

Phase 2 West 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 and exterior potable water uses, to facilitate an accounting of the potential future use of recycled water and potable water conservation resulting therefrom.

Provided in Exhibit 1 is the Tentative Map for the Phase 2 West Residential which constitutes the property where the residential uses will be developed (Lots 552 to 619). Phase 2 West Non-Residential consists of the property within the Linear Park and open space parcels. This includes Parcel OS-2W.1, Parcel OS-2W.2, the median located between Ocean Bluff and Sand Dune Avenue, and the median located between 6th and 7th street.

The following tables 2A-2B provides more detail of the estimated water demands for the proposed Phase 2 West Project, including the interior and exterior residential demands. This estimated usage is based on water demands for similar local projects and Best Management Practices (BMPs) for the installation.

Table 2A: Phase 2 West Residential Interior Demands

	Land Use	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 2								
	Single Family Lots	Bay House	20	2.75	55	0.06	0.169	3.388
	Single Family Lots	Light House	27	3	55	0.06	0.185	4.990
	Single Family Lots	Sky House	21	3	55	0.06	0.185	3.881
Total								12.26

Table 2B: Phase 2 West Residential Exterior Demands

	Land Use	Type of Resident	Lot Size (SF)	Percent Turf Planting	Turf Irrigated Area (Acres)	Percent Ornamental Planting	Ornamental Irrigated Area (Acres)	Unit Turf Demand (AFY/Unit)	Unit Ornamental Demand (AFY/Unit)	Unit Ornamental Demand (AFY/Unit)
Phase 2										
	Single Family Lots	Bay House	2,405.00	50%	0.014	50%	0.014	0.029	0.022	1.015
	Single Family Lots	Light House	4,000.00	50%	0.023	50%	0.023	0.048	0.036	2.278
	Single Family Lots	Sky House	4,950.00	50%	0.028	50%	0.028	0.060	0.045	2.192
Total										5.48

Phase 2 West Recycled Water Demand

In addition to the residential water demands, Phase 2 West has Non-Residential exterior demands that will be supplied by recycled and reclaimed water supply. Table 3A identifies the water demands needed for the Phase 2 West Non-Residential Exterior demands.

Table 3A: Phase 2 West Non-Residential Exterior Demands Using Recycled Water

	Land Use	Lot Size (SF)	Lot Size (acres)	% Irrigable Area (acres)	Irrigable Area (acres)	% Turf Planting	Turff Irrigated Area (acres)	% Ornamental Plantings	Ornamental Irrigated Area (acres)	Unit Turf Demand (AFY/Unit)	Unit Ornamental Demand (AFY/Unit)	Unit Exterior Factor (AFY/Unit)
Phase 2												
	Common Area	28,314.00	0.50	80%	0.40	50%	0.20	50%	0.20	0.42	0.36	0.78
	Common Area	101,466.00	2.33	80%	1.86	50%	0.93	50%	0.93	1.96	1.66	3.62
Total												4.40

Table 3B showing the total recycled water demands for the Dunes development across the different Phases of the project that are currently developed or have a tentative map.

Table 3B: Total Project Recycled Water Demands

Recycled Water Demand	
Constructed or Approved Projects	Recycled Demand (AFY)
Phase 1B	2.5
Phase 1C	7.55
Phase 2 East	3.15
Phase 2 North (Commercial)	0.06
Proposed Projects	Recycled Demand (AFY)
Phase 2 West	4.40
Total Recycled Demands	17.66

Phase 2 West Conclusions

An adequate supply of water is estimated to be available to the Phase 2 West Project based on the allocation of 593 AFY of Potable Water to the MCP Dunes Project Area per City Resolution No. 2005-129. Tables 2A-2C depict the appropriate amount of water needed to be allocated for Residential and Non-Residential interior and exterior demands, and sufficient water allocation remains for this expected demand through buildout of the project. Approximately 69.1% (409.86 AFY) of the Specific plan water allocation has been approved and constructed. Approximately 30.8% of the Specific Plan water allocation (189.13 AFY) is available for the Phase 2 West Project and remaining future or proposed development. There remains approximately 4% (25.13 AFY) of the total water supply currently not allocated after the proposed and future development, after all proposed projected demands. Additionally, Phase 2 West, along with approved and constructed phases, includes exterior demands using recycled water that will be credited against the Potable Water allocation, thus providing additional potable allocation for future demand. Therefore, there is adequate water available for the Dunes Phase 2 West.

Sincerely,



Bob Krallinger, PE
Water Practice Lead
Bowman



Tim Wilson, PE
Project Manager
Bowman

November 15, 2023

Item No. **10i(1)**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of November 21, 2023

**CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2023-,
APPROVING THE PHASE 2 WEST/RESIDENTIAL 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 2 West/Residential 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, including 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 19, 2020, the City Council adopted Resolution No. 2020-53, approving an amendment to University Village Phase 2 Tentative Map.

At the regularly scheduled meeting of October 6, 2022, the City Council adopted Resolution No. 2022-119, approving an amendment to residential lots, open space and roadways in Phase 2 West.

ANALYSIS:

Shea Homes Limited Partnership (“Developer”) has submitted the Phase 2 West/Residential Final Map to the City for review and approval. Staff has reviewed the improvement plans for construction and approved the plans on March 28, 2023. 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 2 West/Residential also been provided by Bowman Consulting Group (dated November 3, 2023) (“**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 the 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.

California Environmental Quality Act (CEQA)

The approval and recordation of the Phase 2 West Final Map was generally anticipated and analyzed in the Environmental Impact Report (EIR) prepared for the project and certified by the City Council through its adoption of Council Resolution No. 2005-127 on May 31, 2005 (SCH # 2004091167).

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