

ITEM V-A: DEVELOPMENT AGREEMENT AMENDMENTS – 2300 WESTBROOK BOULEVARD – WRSP PHASE 3 & 4 DEVELOPMENT AGREEMENT AMENDMENTS – FILE#S DA-000056 & DA-000057

REQUEST

The applicants request approval to amend, 1) the West Roseville and WP3 Capital Partners, LLC Development Agreement (DA) (Westpark DA), and 2) the ATC Realty One, LLC Development Agreement (Fiddymment Ranch DA). Both Agreements are relative to the West Roseville Specific Plan (WRSP). The proposed modifications to the Agreements would provide for a fee paid at the time of the issuance of a residential building permit for Phases 3 & 4 of Westpark and Phases 2 & 3 of Fiddymment Ranch, (with the exception of Village 14) to fund construction for the off-site portions of Blue Oaks Boulevard and Westpark Drive.

Applicants: West Roseville, LLC, John Tallman and Bayless & Hicks, Stephen Hicks
Property Owners: West Roseville, LLC, Jeff Jones and ATC Realty One, LLC, Stephen Miller

SUMMARY RECOMMENDATION

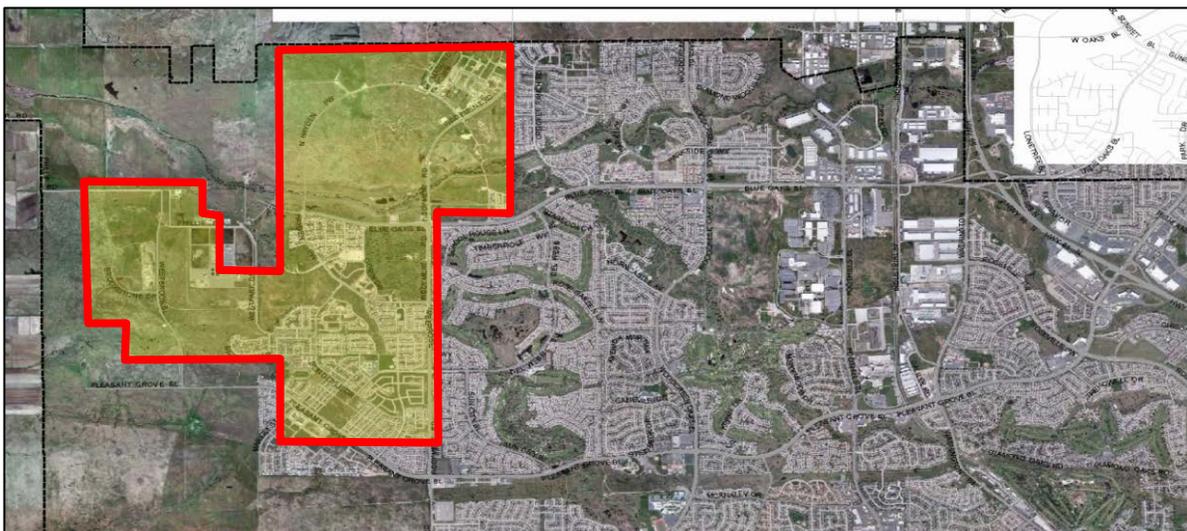
The Planning Department recommends that the Planning Commission take the following actions:

- A. Recommend that the City Council adopt the five (5) findings of fact for the Development Agreements; and
- B. Recommend the City Council approve the West Roseville and WP3 Capital Partners, LLC (Westpark) Development Agreement Amendment and the ATC Realty One, LLC (Fiddymment Ranch) Development Agreement Amendment.

SUMMARY OF OUTSTANDING ISSUES

There are no outstanding issues associated with this request. The applicant and all affected City departments have reviewed and are satisfied with the final versions of the proposed Development Agreement Amendments.

Vicinity Map – West Roseville Specific Plan



BACKGROUND

The WRSP was approved by the Roseville City Council on February 4, 2004. The WRSP guides development on ±3,162 acres located west of Fiddymment Road in the City of Roseville. At the time of approval, the WRSP was comprised of two distinct areas covered by two Development Agreements; Westpark, which consists of ±1,413 acres in the southwest portion of the WRSP area, and Fiddymment Ranch, which includes ±1,611 acres in the northern portion of the WRSP area. Since approval, portions of both have been sold and developed by various interests. The WRSP is planned as a mixed use residential community with a wide range of residential densities, parks, open space, public/quasi-public (including school sites, electric substations, etc.), commercial, business professional, and industrial.

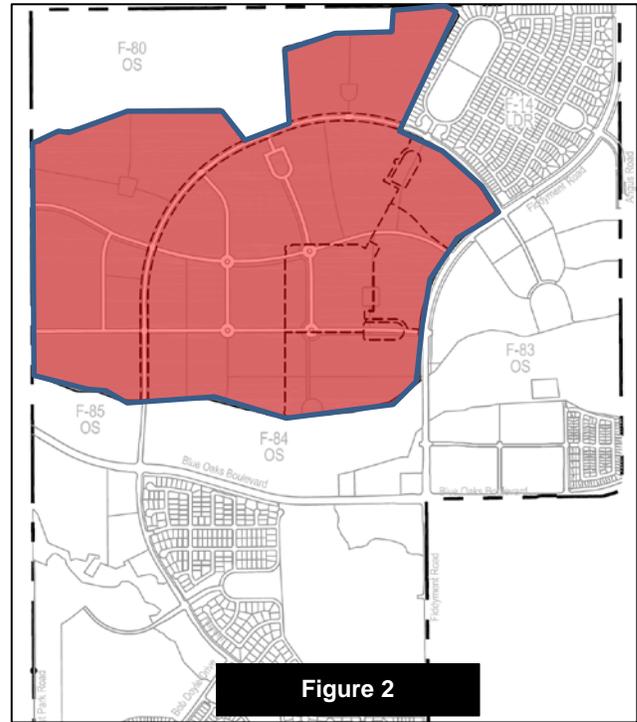
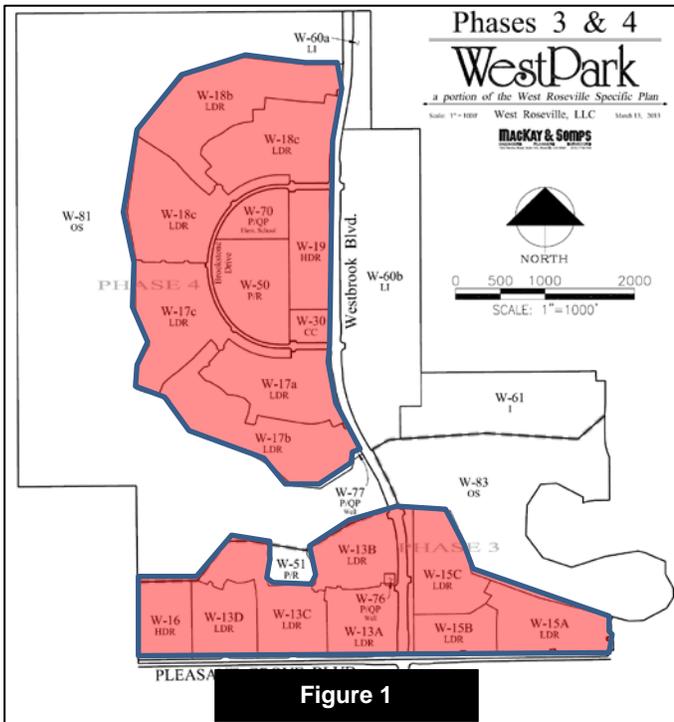
EVALUATION

The WRSP Development Agreements (DAs) are binding contracts with a 20-year life span that address topics related to the development of the project area. The DAs also identify the various obligations of the landowners (i.e. dedications, improvements [including infrastructure, roads, etc.], financing) and obligations of the City.

Current Development Agreement: The current DAs provide language relative to the construction obligations of Blue Oaks Boulevard from its present terminus at Hayden Parkway, westerly to Westbrook Boulevard, and Westpark Drive (Formerly Phillip Road) from Blue Oaks Boulevard to the northern side of the Wastewater Treatment Plant (see Attachments 1 & 2). Portions of Blue Oaks Boulevard and Westpark Drive traverse properties of Fiddymment Ranch, the City, and Westpark (see Attachment 3). The obligation to build both on-site and off-site sections of the road(s) is shared between Fiddymment and Westpark. Timing for the construction of these improvements is conditioned prior to the development of certain phases of Westpark (Phase 4) and Fiddymment (Phase 3).

Proposed Development Agreement: The proposed DA Amendment identifies specific sections of Blue Oaks Boulevard and Westpark Drive and the construction obligations associated with those roadway segments. The DA converts construction obligations for Blue Oaks Boulevard into building permit fees, and transfers certain construction obligations to others, as needed, for the development of the Creekview Specific Plan, and to the City as part of its Capital Improvement Program (CIP). The financial obligation for Blue Oaks Boulevard construction remains with Fiddymment and Westpark and shall be collected as a fee paid at the time of the issuance of building permits for Westpark Phases 3 and 4 (see Figure 1 below), and Fiddymment Ranch Phases 2 & 3, west of Fiddymment Road, with the exception of Village F-14 (see Figure 2 below).

At project buildout, the same level of road improvements will be constructed as provided for in the existing DAs. The proposed DA Amendment will result in a deferral in construction of Segments 2, 3, and 4 of Blue Oaks Boulevard as shown on the attached Exhibit D. Staff conducted a traffic analysis which indicates no significant impact as a result of the proposed modification (see Addendum to WRSP EIR - Exhibit C).



The proposed DA Amendments are summarized in the following tables. Copies of the existing DAs, showing proposed modifications, are included as Attachments 1 & 2.

Westpark DA

| DA Section | Proposed Revision |
|--|--|
| 3.5.2 Arterial Roadways | Revised in its entirety |
| 3.5.3.1 Westpark Drive (formerly Phillip Road) | Revised in its entirety |
| Section 3.5.3.3 Blue Oaks Boulevard (Off-site) | Revised in its entirety |
| Section 3.5.8 Update of City Fee | Revised in its entirety |
| Exhibit "E" (Off-Site Improvements – Phase 3) | Paragraphs 1,3,5,6 and 8, on Page E-22, of Exhibit "E" are deleted |
| Exhibit "E" (Streets Phase 4) | Paragraph 2, Page E-23 is deleted |
| Exhibit "E" (Water Phase 4) | Paragraph 3, Page E-24 is deleted |
| Exhibit "E" (Recycled Water Phase 4) | Paragraph 2, Page E-25 is deleted |
| Exhibit "E" (Off-site Improvements - Phase 4) | Paragraph 1-3, Page E-26 is deleted |
| Exhibit "I" to Exhibit "E" (Phasing Plan) | Detail "C" of Exhibit "I" (Off-Site Infrastructure Phasing) to Exhibit "E" to the Development Agreement is replaced in its entirety by Exhibit "C" |
| Exhibit "II" (Off-Site Improvements – Phase 3) | Paragraphs 1-5 and 7, on Pages II-58 through II-60 of Exhibit "II" are deleted |
| Exhibit "II" (Streets – Phase 4) | Paragraph 2, Page II-61 is deleted |
| Exhibit "II" (Water – Phase 4) | Paragraph 2, Page II-64 is deleted |
| Exhibit "II" (Recycled Water – Phase 4) | Paragraph 2, Page II-65 is deleted |
| Exhibit "II" (Off-Site Improvements – Phase 4) | Paragraph 1-3, Page II-68,69 is deleted |

Fiddymment Ranch DA

| DA Section | Proposed Revision |
|--|--|
| 3.5.2 Arterial Roadways | Revised in its entirety |
| 3.5.2.1 Blue Oaks Boulevard (On-site and Off-site) | Revised in its entirety |
| 3.5.3.1 Westpark Drive (formerly Phillip Road) | Revised in its entirety |
| 3.5.8 Update of City Fee | Addition of new paragraph |
| Section 3.5.11 Bridges | New provisions are added to Section 3.5.11 |
| Section 3.5.21 Fiddymment Road Widening | Deleted in its entirety |
| Exhibit “F” (Off-Site Improvements – Phase 3) | Paragraphs 3-5 on Pages F-17 and F-18, and Paragraphs 1-6 on Pages F-22 and F-23 of Exhibit “F” are deleted |
| Exhibit “I” to Exhibit “F” (Phasing Plan) | Detail “C” of Exhibit “I” (Off-Site Infrastructure Phasing) to Exhibit “F” to the Development Agreement is replaced in its entirety by Exhibit “C” |
| Exhibit “OO” (Infrastructure Phasing & Reimbursement Schedule), <u>Phase 2, Streets Phase 2 – Paragraph 12 and 13</u> | Addition of new paragraph |
| Exhibit “OO” (Infrastructure Phasing & Reimbursement Schedule), <u>Phase 3. Paragraphs 3-5</u> | Deleted in its entirety |
| Exhibit “OO” (Infrastructure Phasing & Reimbursement Schedule), <u>Phase 3. Paragraph 6</u> | Revised in its entirety |
| Exhibit “OO” (Infrastructure Phasing & Reimbursement Schedule), <u>Off-site improvements Phase 3. Paragraphs 1-3, 5, and 7</u> | Deleted in its entirety |
| Exhibit “OO” (Infrastructure Phasing & Reimbursement Schedule), <u>Off-site improvements Phase 4. Paragraphs 1-3</u> | Deleted in its entirety |

CONCLUSION

As discussed above, the proposed DA Amendment establishes a building permit fee for the funding of Blue Oaks Boulevard construction; however, the proposed Development Agreement Amendment does not impact the level of road improvements that must be constructed within the WRSP. The proposed DA Amendment will result in a deferral in construction of Blue Oaks Boulevard; however, traffic analysis indicates no significant impacts as a result of the deferral of construction. At project buildout, the same level of road improvements will be constructed as provided for in the existing DA.

The proposed DA Amendments have been reviewed by all affected departments and the changes have been found to be acceptable to all parties and are consistent with the required findings.

ENVIRONMENTAL DETERMINATION

The proposed Development Agreement Amendment is substantially consistent with the conclusions identified in the West Roseville Specific Plan (WRSP) FEIR certified by City Council on January 9, 2004 (SCH#2002082057). An Addendum to the WRSP FEIR which clarifies the proposed DA changes and impacts has been prepared for consideration by the Planning Commission before taking action on the project.

RECOMMENDATION

The Planning Department recommends that the Planning Commission take the following actions:

- A. Recommend that the City Council adopt the five (5) findings of fact as stated below for the **DEVELOPMENT AGREEMENT AMENDMENTS – 2300 WESTBROOK BOULEVARD – WRSP PHASE 3 & 4 DEVELOPMENT AGREEMENT AMENDMENTS – FILE# 2013PL-022 (DA-000056 & DA-000057)**:
1. *The Development Agreement is consistent with the objectives, policies, programs and land use designations of the City of Roseville General Plan and West Roseville Specific Plan;*
 2. *The Development Agreement is consistent with the provisions of the City of Roseville Zoning Ordinance;*
 3. *The Development Agreement is in conformance with the public health, safety and welfare;*
 4. *The Development Agreement will not adversely affect the orderly development of the property or the preservation of property values; and*
 5. *The provisions of the Development Agreement will provide sufficient benefit to the City to justify entering into the Agreement.*
- B. Recommend the City Council approve the **DEVELOPMENT AGREEMENT AMENDMENTS – 2300 WESTBROOK BOULEVARD – WRSP PHASE 3 & 4 DEVELOPMENT AGREEMENT AMENDMENTS – FILE# 2013PL-022 (DA-000056 & DA-000057)** as shown in Exhibits A & B.

ATTACHMENTS

1. Current Westpark DA Amendment – Showing Proposed Modifications
2. Current Fiddymment Ranch DA Amendment – Showing Proposed Modifications
3. Blue Oaks Boulevard Map

EXHIBITS

- A. Draft Westpark Development Agreement Amendment 4
- B. Draft Fiddymment Ranch Development Agreement Amendment 4
- C. Addendum to WRSP EIR
- D. Blue Oaks Boulevard Segments Affected By Proposed DA Amendment

Note to Applicant and/or Developer: Please contact the Planning & Redevelopment Department staff at (916) 774-5276 prior to the Commission meeting if you have any questions on any of the recommended conditions for your project. If you challenge the decision of the Commission in court, you may be limited to raising only those issues which you or someone else raised at the public hearing held for this project, or in written correspondence delivered to the Planning & Redevelopment Director at, or prior to, the public hearing.