

# Exhibit A

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## **DRAFT RESOLUTION**

### **Before the Planning Commission in and for the County of Monterey, State of California**

#### **Resolution No. 26-**

Resolution of the County of Monterey Planning Commission to approve an extension to the expiration of Vesting Tentative Map for the East Garrison Final Phase to allow the resubdivision of 20.25 acres consisting of Phase 1 Final Map Parcels T1.1 – T1.8, Phase 2 Final Map Parcels M2.10 and M2.11, and Phase 3 Final Map Parcels M3.1 – M3.6, resulting in 140 single family residential parcels, 119 Live/Work parcels, two Town Center Parcels, approximately 2.85 acres in Open Space parcels, and approximately 3.35 acres in right of way parcels and the Amended Combined Development Permit (Board of Supervisor's Resolution 05-267) to allow the redistribution of allowed development resulting in the East Garrison Final Phase consisting of: a mixed-use Town Center building with 30,000 square feet of commercial space on the first floor and 66 Affordable Housing apartment units above, 61 Residential Medium units, 79 Residential High units, and 119 Live/Work Rowhouses for the period of six years, to June 25, 2032, pursuant to Government Code section 66452(e) (PLN030204-AMD2-EXT1, UCP East Garrison LLC) located south of the intersection of Reservation Road and East Garrison Drive, Marina, Fort Ord Master Plan, East Garrison Specific Plan area, Assessor's Parcel Numbers 031-164-028-000 through 031-164-076-000, 031-164-116-000 through 031-164-121-000, 031-164-123-000, 031-164-126-000, 031-164-128-000, 031-169-036-000, 031-169-053-000, 031-169-054-000, 031-301-014-000, 031-301-015-000, and 031-302-057-000 through 031-302-059-000).

**WHEREAS**, on October 4, 2005 by Resolution Nos. 05-266 and 05-267, the Board approved the East Garrison Specific Plan (EGSP). The Approved Project included a Vesting Tentative Map (VTM) for the subdivision of 244 acres into parcels to create up to 1,400 dwelling units with up to 70 second units on the same lot as a residential unit, 75,000 square feet of commercial buildings, 11,000 square feet of public buildings, and 100,000 square feet of artist studio/public uses in 25 renovated buildings, a Use Permit for tree removal, a Use Permit to allow development on slopes over 30 percent, Use Permit for signs, and a Design Approval; the Approved Project included General Plan Amendment and amendment to Title 21 to incorporate new regulations allowing Mixed Use Zoning and the Specific Plan Area (Resolution No. 05-265, Ordinance No. 05000). The property was described as south of Reservation Road and north of Watkins Gate Road at the East Garrison gate in the Greater Monterey Peninsula Plan (now Fort Ord Master Plan); and

**WHEREAS**, East Garrison Phase 1 Final Map was recorded on June 28, 2007 in Vol. 24 Cities and Towns, Page 7; and

**WHEREAS**, East Garrison Phase 2 Final Map was recorded on March 19, 2015 in Vol. 24 Cities and Towns, Page 41; and

**WHEREAS**, East Garrison Phase 3 Final Map was recorded on December 26, 2017 in Vol. 24 Cities and Towns, Page 54; and

**WHEREAS**, on February 11, 2020 by Resolution No. 20-037, the Board of Supervisors amended the Combined Development Permit (PLN030204-AMD1) and considered an addendum to the EGSP Final Subsequent EIR. The actions were to amend Condition of Approval No. 184 (related to specificity of funding allocation for fees collected by Monterey Bay Air Resources District to mitigate Reactive Organic Gas and Nitrogen Oxide air quality impacts from the Approved Project) and to approve an agreement between the County of Monterey and Monterey Bay Air Resources District; and

**WHEREAS**, on June 16, 2020, the Board of Supervisors considered a second addendum to the EGSP Final Subsequent EIR and adopted Ordinance No. 5333 approving the First Amendment to the Development Agreement to extend the agreement for 15 years and establish fees on remaining building permits for the Approved Project to replace Fort Ord Reuse Authority's Community Facilities District fees for the Developer's fair share funding of habitat management, and regional and County roadway improvements; and

**WHEREAS**, on June 25, 2024 by Resolution No. 24-324, with recommendation by the Planning Commission pursuant to Government Code Sections (GCS) 65453, 65454 and 65456, the Board of Supervisors considered a third addendum to the EGSP Final Subsequent EIR and approved a second amendment to PLN030204 consisting of an EGSP Amendment to modify Section 3 – Land Use, Section 4 – Infrastructure, Appendix A – East Garrison Pattern; Phase 1 Final Map; Vesting Tentative Map for Parcels T1.1 – T1.8 of the Phase 1 Final Map, Parcels M2.10 and M2.11 of the Phase 2 Final and Parcels M3.1 – M3.6 of the Phase 3 Final Map; and approved an amendment to the Combined Development Permit to relocate the Phase 3 Rental Affordable Housing “Artspace units” to the Town Center above the commercial space, allow compact single family dwellings on the former Rental Affordable Housing Development parcels, and allow 254 two to three-story compact homes and rowhouses within the town center. As a “Phase 4 VTM” with amendments to recorded Final Maps, the EG Final Phase VTM was vested on June 25, 2024. Therefore, this final phase of the EGSP (PLN030204-AMD2) is set to expire on June 25, 2026; and

**WHEREAS**, in compliance with Monterey County Code, Title 19 section 19.03.035, the agent for the owner, Cody Phillips of Anthony Lombardo and Associates, filed a written request for an extension of the Final Phase VTM approval with HCD on November 17, 2025, more than 60 days prior to the expiration. The reason provided for the extension request was that more time is needed to satisfy the conditions necessary to file the Final Phase final map; and

**WHEREAS**, the owner has been working to satisfy conditions of approval; and

**WHEREAS**, California Government Code section 66452.6(e) allows for a total of six years of VTM extensions; and

**WHEREAS**, in considering this extension, the Planning Commission has considered the previously certified Final Subsequent EIR and Addenda for the subdivision pursuant to CEQA Guidelines section 15162 and there are no substantial changes to the project or circumstances

that would warrant subsequent environmental review in granting the six-year extension to the expiration of the project.

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Commission does hereby approve an extension to the expiration of the Final Phase Vesting Tentative Map and the previously-amended Combined Development Permit for the EGSP subdivision for six years, to June 25, 2032.

**PASSED AND ADOPTED** this 13<sup>th</sup> day of May upon motion of \_\_\_\_\_, seconded by \_\_\_\_\_, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Melanie Beretti, AICP  
Planning Commission Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON \_\_\_\_\_.

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE \_\_\_\_\_.

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

# County of Monterey HCD Planning

## DRAFT Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN030204-AMD2-EXT1

### 1. PD001 - SPECIFIC USES ONLY

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** This permit extension (PLN030204-AMD2-EXT1) allows a six-year extension to the expiration of the amendment to the East Garrison Specific Plan, including Appendix A – East Garrison Pattern Book; an amendment to the approved Combined Development Permit (Board of Supervisor’s Resolution 05-267) to allow the redistribution of allowed development resulting in the East Garrison Final Phase consisting of a mixed-use Town Center building (30,000 square feet of commercial on the ground floor and 66 affordable rental apartments above, 61 Residential Medium units, 79 Residential High-2 units and 119 Live/Work Rowhouses); and a Vesting Tentative Map to allow the re-subdivision of 20.25 acres resulting in 140 single family residential parcels, 119 Live/Work parcels, two Town Center Parcels, approximately 2.85 acres in Open Space parcels and approximately 3.35 acres in right-of-way parcels. The properties are multiple parcels specified in the Permit Approval Notice, East Garrison Specific Plan, Fort Ord Master Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of HCD - Planning. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (HCD - Planning)

**Compliance or Monitoring Action to be Performed:** The Owner/Applicant shall adhere to conditions and uses specified in the permit on an on-going basis unless otherwise stated.

**2. PD002 - NOTICE PERMIT APPROVAL**

**Responsible Department:** Planning

**Condition/Mitigation** The applicant shall record a Permit Approval Notice. This notice shall state:

**Monitoring Measure:** "A discretionary extension of six years (Resolution Number \_\_\_\_\_) was approved by the Planning Commission for Assessor's Parcel Numbers 031-164-028-000, 031-164-029-000, 031-164-030-000, 031-164-031-000, 031-164-032-000, 031-164-033-000, 031-164-034-000, 031-164-035-000, 031-164-036-000, 031-164-037-000, 031-164-038-000, 031-164-039-000, 031-164-040-000, 031-164-041-000, 031-164-042-000, 031-164-043-000, 031-164-044-000, 031-164-045-000, 031-164-046-000, 031-164-047-000, 031-164-048-000, 031-164-049-000, 031-164-050-000, 031-164-051-000, 031-164-052-000, 031-164-053-000, 031-164-054-000, 031-164-055-000, 031-164-056-000, 031-164-057-000, 031-164-058-000, 031-164-059-000, 031-164-060-000, 031-164-061-000, 031-164-062-000, 031-164-063-000, 031-164-064-000, 031-164-065-000, 031-164-066-000, 031-164-067-000, 031-164-068-000, 031-164-069-000, 031-164-070-000, 031-164-071-000, 031-164-072-000, 031-164-073-000, 031-164-074-000, 031-164-075-000, 031-164-076-000, 031-164-116-000, 031-164-117-000, 031-164-118-000, 031-164-119-000, 031-164-120-000, 031-164-121-000, 031-164-123-000, 031-164-126-000, 031-164-128-000, 031-169-036-000, 031-169-053-000, 031-169-054-000, 031-301-014-000, 031-301-015-000, 031-302-057-000, 031-302-058-000, 031-302-059-000 on May 13, 2026. The permit was granted subject to 2 conditions of approval which run with the land. Condition compliance on the project shall continue with reporting in the PLN030204-AMD2 project file. A copy of this extension permit is on file with Monterey County HCD - Planning."

Proof of recordation of this notice shall be furnished to the Director of HCD - Planning prior to issuance of grading and building permits, Certificates of Compliance, or commencement of use, whichever occurs first and as applicable. (HCD - Planning)

**Compliance or Monitoring Action to be Performed:** Prior to the issuance of grading and building permits, certificates of compliance, or commencement of use, whichever occurs first and as applicable, the Owner/Applicant shall provide proof of recordation of this notice to the HCD - Planning.

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