

Before the Board of Supervisors County of Placer, State of California

In the matter of:

AN ORDINANCE APPROVING THE
FIRST AMENDMENT TO THE AMENDED
AND RESTATED DEVELOPMENT
AGREEMENT BY
AND BETWEEN THE COUNTY OF
PLACER AND
HC REAL ESTATE HOLDING, INC.,
RELATIVE
TO THE REGIONAL UNIVERSITY
SPECIFIC PLAN

Ordinance No.: 6178-B

The following Ordinance was duly passed by the Board of Supervisors of the County of Placer
at a regular meeting held December 6, 2022, by the following vote:

Ayes: GORE, WEYGANDT, HOLMES, JONES, GUSTAFSON

Noes: NONE

Absent: NONE

Signed and approved by me after its passage.


Chair, Board of Supervisors

Attest:


Clerk of said Board

THE BOARD OF SUPERVISORS OF THE COUNTY OF PLACER, STATE OF CALIFORNIA
DOES HEREBY ORDAIN AS FOLLOWS:

WHEREAS, on November 4, 2008, the Placer County Board of Supervisors ("Board") approved the Regional University Specific Plan ("Specific Plan") and, pursuant to adoption of Ordinance 5534-B, the County entered into a development agreement by and between the County of Placer ("County") and Angelo K. Tsakopoulos, William C. Cummings and Placer 2780, the landowners owning property within the boundaries of the Specific Plan.

WHEREAS, on May 14, 2019, the Board adopted an ordinance (No. 5959-B) approving an Amended and Restated Development Agreement by and between the County and Placer University Community Property, LLC, and Placer University Project, LLC Relative to Regional University Specific Plan.

WHEREAS, The Placer University Community Property, LLC, and Placer University Project, LLC assigned their respective interests in the Amended and Restated Development Agreement to HC Real Estate Holding, Inc., a Michigan nonprofit corporation pursuant to that certain Assignment and Assumption Agreement Relative to Regional University Specific Plan Development Agreement, which was recorded on November 29, 2021, as Document No. 2021-0145436-00, in the Official Records of County.

WHEREAS, on October 27, 2022, the Placer County Planning Commission held a duly noticed public hearing pursuant to Placer County Code Chapter 17, Article 17.58, Section 17.58.240 to consider the terms of the proposed First Amendment of the Amended and Restated Development Agreement By and Between the County of Placer and HC Real Estate Holding, Inc., Relative to Regional University Specific Plan ("First Amendment"), which if approved would modify financing and fee structures for payment of fees for public facilities that will be constructed by the County (such as the fire station), provide flexibility for affordable housing obligations, and would allow the delay of the off-site Watt Avenue Improvements until necessary for access to a future Phase and acknowledge that the Watt Avenue/Santucci Boulevard Emergency Vehicle Access may be widened to a 32-foot wide public use roadway, for the Regional University Specific Plan.

WHEREAS, on October 27, 2022, pursuant to Placer County Code Chapter 17, Article 17.58, Section 17.58.240(A)(3), the Planning Commission made written recommendations to the Placer County Board of Supervisors to approve the First Amendment.

WHEREAS, on _____(date), the Board noticed a public hearing in accordance with Placer County Code Chapter 17, Article 17.60, Section 17.60.140, and held the duly noticed public hearing in accordance with Placer County Code Chapter 17, Article 17.58, Section 17.58.240(B) to consider the recommendations of the Planning Commission, staff's presentation, report and all supporting studies and documents related to the proposed First Amendment and to receive written and oral testimony on the same.

WHEREAS, notice of all hearings required by Placer County Code Chapter 17, Article 17.58, Section 17.58.240 and Government Code Section 65867 have been given and all hearings have been held as required by statute and ordinance to adopt this ordinance and approve the First Amendment.

WHEREAS, having considered the recommendations of the Planning Commission, having reviewed the terms of the proposed First Amendment, having received and considered the written and oral comments submitted by the public thereon, the Board finds as follows:

- a. The County has conducted environmental review of the proposed First Amendment pursuant to the California Environmental Quality Act ("CEQA") and the Board has adopted by Resolution No. _____ an Addendum to the Certified Final Environmental Impact Report for the Regional University Specific Plan supported by findings thereto;
- b. The First Amendment is consistent with the objectives, policies, general land uses and programs specified in the Placer County General Plan and the Regional University Specific Plan as amended;
- c. The First Amendment is compatible with the uses authorized in, and the regulations proscribed for, the land use district in which the real property subject to the Development Agreement is located;

- d. The First Amendment is in conformity with public convenience, general welfare and good land use practice;
- e. The First Amendment will not be detrimental to the health, safety and general welfare of persons residing in Placer County;
- f. The First Amendment will not adversely affect the orderly development of property or the preservation of property values.

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF PLACER ORDAINS AS FOLLOWS:

Section 1: The First Amendment of the Amended and Restated Development Agreement By and Between the County of Placer and HC Real Estate Holding, Inc., Relative to Regional University Specific Plan ("First Amendment"), a true and correct copy of which is attached hereto as Exhibit 1 and incorporated herein by reference, is hereby approved.

Section 2: The Chair of the Board is hereby authorized to execute the First Amendment on behalf of the County provided that all landowners listed in the First Amendment have previously executed the First Amendment.

Section 3: The Planning Director is directed to record the First Amendment at landowner's cost within ten (10) days in accordance with Section 17.58.240(D) of the Placer County Code.

Section 4: This ordinance shall be in full force and effect upon thirty (30) days after its passage. The Clerk is directed to publish this ordinance, or a summary thereof, within fifteen (15) days in accordance with government code section 25124.

Exhibit

Exhibit 1: First Amendment of the Amended and Restated Development Agreement