

## RESOLUTION NO. 2014-071

### RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VACAVILLE REAFFIRMING ENVIRONMENTAL IMPACT REPORT AND APPROVING THE CHEYENNE AT BROWNS VALLEY HOUSE PLAN PLANNED DEVELOPMENT MODIFICATION AND MODEL HOME COMPLEX

**WHEREAS**, the City Council of the City of Vacaville conducted a public hearing on July 8, 2014 to consider a request for the Cheyenne at Browns Valley Road Subdivision House Plan Planned Development Modification and Model Home Complex relating to the following described property:

Cheyenne at Browns Valley Residential Subdivision  
North side of McMurtry Lane, west of Browns Valley Road and Shelton Lane, accessed from  
Whispering Ridge Drive

**WHEREAS**, on April 27, 2004, the City Council certified the Environmental Impact Report for the Rice-McMurtry Project Area and approved the General Plan Amendment, Planned Development, Annexation, Zone Change and Development Agreement; and

**WHEREAS**, on May 4, 2004, the City Council approved Ordinance 1716 approving the Development Agreement between the City and the owners of the Reynolds Ranch, Knoll Creek and Rogers Ranch properties; and

**WHEREAS**, on September 13, 2004, the Local Agency Formation Commission (LAFCO) approved the Rice-McMurtry Annexation; and

**WHEREAS**, on January 13, 2005, the Certification of Completion was filed for the Rice-McMurtry Annexation Area which includes the Reynolds Ranch, Rogers Ranch, Knoll Creek and Caliguiri Preserve properties; and

**WHEREAS**, on March 22, 2005, the City Council – The Reynolds Ranch and Rogers Ranch Vesting Tentative Maps, and the Knoll Creek Tentative Map were approved; and

**WHEREAS**, on November 1, 2005, the Planning Commission approved house plans for the 10,000 square foot lots within the Cheyenne Development; and

**WHEREAS**, in December 2005, the Cheyenne at Browns Valley Final Map was approved, and construction commenced; and

**WHEREAS**, on May 1, 2007, the Planning Commission approved a house plan Modification for the 10,000 square foot lots within the Cheyenne Development. This house plan Modification approved a new house plan that replaced two previously approved house plans; and

**WHEREAS**, the Planning Commission of the City of Vacaville conducted a public hearing on December 17, 2013, regarding said proposed reaffirmation of the Rice-McMurtry Annexation and Residential Project EIR and Planned Development Modification and voted (6 - 0) to recommend that the City Council approve said action; and

**WHEREAS**, the public hearing before the City Council was duly noticed in accordance with applicable state law and the Vacaville Development Code requirements; and

**WHEREAS**, the City Council received testimony from City staff, the applicant and interested persons regarding the proposed project; and

**WHEREAS**, the City Council has reviewed the written record for a reaffirmation of the previous environmental assessment and, on the basis of the factual information, approves a reaffirmation of the previous environmental assessment, based on the following findings:

1. That the activity is within the scope of the project covered by the Rice-McMurtry Annexation and Residential Development Project Environmental Impact Report; and
2. That no new significant effects would occur or no new mitigation measures would be required; and
3. That the Statement of Overriding Considerations, if any, adopted with the previous project for which the Rice-McMurtry Environmental Impact Report has been incorporated into the project approval; and
4. That feasible mitigation measures or alternatives adopted with the previous Rice-McMurtry Annexation and Residential Development Project Environmental Impact Report have been incorporated into the project approval; and
5. That no new environmental document would be required.

**WHEREAS**, the City Council has reviewed the request for the Cheyenne at Browns Valley Subdivision House Plan Modification and Model Home Complex and finds:

1. That the proposed change is of a nature that does not require the complete redesign and re-submittal of the original project; and
2. That the proposed change is consistent with the original project; and
3. That the proposed change does not result in lack of compliance with the development standards approved with the original project; and
4. That the proposed change is consistent with the findings for a Design Review approval; and
5. That the proposed change is consistent with the goals, objectives and policies of the General Plan, the Zoning Ordinance and the Development Code.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Vacaville hereby:

Section 1. Reaffirms the Rice-McMurtry Annexation and Residential Development Project Environment Impact Report and adopts the Addendum to the EIR to amend the Rice-McMurtry Development Agreement.

Section 2. Approves the Cheyenne at Browns Valley Subdivision House Plan Planned Development Modification and Model Home Complex.

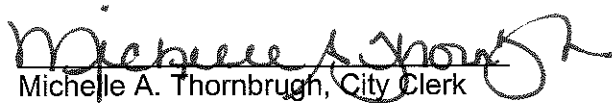
**I HEREBY CERTIFY** that the foregoing resolution was introduced and passed at a regular meeting of the City Council of the City of Vacaville, held on the 8th day of July, 2014, by the following vote:

AYES: Council members Harris, Hunt, Rowlett, Vice-Mayor Mashburn and Mayor Hardy

NOES: None

ABSENT: None

ATTEST:

  
Michelle A. Thornbrugh, City Clerk

