



Recording Requested by: City of Roseville  
 When Recorded  
 Mail to and Mail Tax  
 Statements to:

PLACER, County Recorder  
 RYAN RONCO  
 DOC- 2024-0070132-00

City of Roseville  
 City Clerk's Department - BH  
 311 Vernon Street  
 Roseville, CA 95678

FRIDAY, DEC 27, 2024 01:22 PM  
 MIC \$0.00 | AUT \$0.00 | SBS \$0.00  
 ERD \$0.00 | SB2 \$0.00 | \* \$0.00  
 ADD \$0.00

Ttl Pd \$0.00 Rcpt # 03369864  
 CLK6H8K8V3/AS/1-16

Exempt from recording fees  
 Pursuant to Govt. Code 27383

(THIS SPACE RESERVED FOR RECORDER'S USE)

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**FIFTH AMENDMENT OF DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY  
 OF ROSEVILLE AND WESTPARK S.V. 400, LLC, RELATIVE TO THE SIERRA VISTA  
 SPECIFIC PLAN**

**FIFTH AMENDMENT OF DEVELOPMENT AGREEMENT  
BY AND BETWEEN THE CITY OF ROSEVILLE AND WESTPARK S.V. 400, LLC,  
RELATIVE TO THE SIERRA VISTA SPECIFIC PLAN**

This Fifth Amendment of Development Agreement is entered into this 20<sup>th</sup> day of December 2024, by and between the CITY OF ROSEVILLE, a municipal corporation (“City”), and WESTPARK S.V. 400, LLC, a California limited liability company (“Westpark” or “Landowner”), pursuant to the authority of Sections 65864 through 65869.5 of the California Government Code.

**RECITALS**

A. Westpark and City entered into a Development Agreement (the “Development Agreement”) which was approved by the City Council of City on June 20, 2012, and recorded on July 25, 2012, in the Official Records of Placer County as Document No. 2012-0066790-00. City and Westpark entered into the Development Agreement relative to development within a portion of the Sierra Vista Specific Plan (“Specific Plan”, “SVSP”, or “Plan Area”), as described in Exhibit “A” and shown in Exhibit “B” to the Development Agreement (the “Property”).

B. On May 4, 2016, City approved the First Amendment to the Development Agreement (the “First Amendment”) relative to development within a portion of the SVSP, as more precisely defined in Exhibits “A” and “B” attached to the First Amendment, which was recorded on May 11, 2016, as Document No. 2016-0035988-00, in the Official Records of Placer County.

C. Westpark assigned its interest for a portion of the Property to Pine Island Apartments, LLC (“Pine Island”) pursuant to that certain Assignment and Assumption Agreement Relative to the Sierra Vista Specific Plan Development Agreement dated as of November 10, 2021, and recorded November 10, 2021, as Document No. 2021-0139629-00, in the Official Records of Placer County.

D. On February 2, 2022, City approved the Second Amendment to the Development Agreement (the “Second Amendment”) relative to development within a portion of the SVSP, as more precisely defined in Exhibits “A” and “B” attached to the Second Amendment, which was recorded on March 10, 2022, as Document No. 2022-0021197-00, in the Official Records of Placer County.

E. On October 4, 2023, City approved the Third Amendment to the Development Agreement (the "Third Amendment") relative to development within a portion of the SVSP, as more precisely defined in Exhibits "A" and "B" attached to the Third Amendment, which was recorded on November 17, 2023, as Document No. 2023-0063101-00, in the Official Records of Placer County.

F. On May 1, 2024, City approved the Fourth Amendment to the Development Agreement (the "Fourth Amendment") relative to development within a portion of the SVSP, as more precisely defined in Exhibits "A" and "B" attached to the Fourth Amendment, which was recorded on June 13, 2024, as Document No. 2024-0030724, in the Official Records of Placer County.

G. This Fifth Amendment to the Development Agreement (the "Fifth Amendment") affects a certain portion of the Property commonly known as SVSP Parcel WB-42 (the "Fifth Amendment Property"), as described in Exhibit "A" and as shown in Exhibit "B" attached to this Fifth Amendment. This Fifth Amendment does not affect or apply in any manner with respect to the remainder of the Property described in the Development Agreement.

H. Concurrent with its consideration of this Fifth Amendment, City is processing General Plan Amendment (Resolution No. 24-372), Specific Plan Amendment (Resolution No. 24-373), a Rezone (Ordinance No. 6889), a Tentative Subdivision Map (PL24-0397), and Lot Line Adjustment for a portion of Parcel WB-42 for purposes of amending the land use on a portion of the Fifth Amendment Property, and subdividing that portion for single family residential lots. City and Landowner enter into this Fifth Amendment in order to provide consistency with and to vest these land use approvals.

I. The Fifth Amendment is authorized by Section 1.4 of the Development Agreement.

NOW, THEREFORE, THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. AMENDMENT OF DEVELOPMENT AGREEMENT. The following section and exhibits of the Development Agreement are hereby amended as follows:

a. REVISED SECTION 2.2. The summary table of Section 2.2 of the Development Agreement ("Vested Entitlements") is revised as follows:

"Low Density Residential	505 units on 93.8 Net Acres;
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Low Density Residential/ Age Restricted	493 units on 94.3 Net Acres;
Medium Density Residential	519 units on 74.8 Net Acres;
High Density Residential	658* units on 24.3 Gross Acres;
Community Commercial	7.0 Gross Acres;
Community Commercial/Commercial Mixed Use	0 Gross Acres;
Park	14.7 Gross Acres;
Open Space	36.6 Gross Acres;
Schools	10.0 Gross Acres;
Water Treatment/Well Site	0.3 Gross Acres;
Lift Station	0.8 Gross Acres;
Right of Way /Landscape Corridors	45.3 Gross Acres.

\*Parcel WB-30 includes 237 allocated HDR units, plus a density bonus of 118 HDR units, and Parcel WB-32 includes 128 allocated HDR units, plus a density bonus of 64 HDR units."

b. NEW SECTION 3.12.3.2. Section 3.12.3.2 is added to the Development Agreement to read as follows:

"3.12.3.2. Neighborhood Park In-Lieu Fee for Parcel WB-42B. Landowner shall pay a neighborhood park in-lieu fee (the "Parcel WB-42B Neighborhood Park In-Lieu Fee"), upon the issuance of each residential building permit within Parcel WB-42B, to help fund neighborhood park improvements in the SVSP. Such Parcel WB-42B Neighborhood Park In-Lieu Fee shall be \$4,535 per Medium Density Residential unit to be constructed on Parcel WB-42B, subject to annual adjustment, on July 1, based on the percentage change in the CCI."

c. NEW SECTION 3.14.11. Section 3.14.11 is added to the Development Agreement to read as follows:

"3.14.11. Community Parks Public Benefit Fee. In consideration of converting 7.5 acres of Community Commercial land use into Medium Density Residential land use, Landowner acknowledges and agrees to pay a Community Parks Public Benefit Fee. The Community Parks Public Benefit Fee shall be \$5,000 per MDR unit on Parcel WB-42B and shall be paid at the time of building permit issuance for each of the MDR units on Parcel WB-42B. "

d. EXHIBITS TO THE FIFTH AMENDMENT. The following exhibits attached to this Fifth Amendment are for the Fifth Amendment only, as follows:

- Exhibit A - Legal Description of the Fifth Amendment Property
- Exhibit B - Plat of the Fifth Amendment Property

e. REVISED EXHIBIT. The following exhibit attached to the Development Agreement is proposed to be deleted and replaced by a new exhibit attached to this Fifth Amendment as follows:

Exhibit E ----- Land Use Plan

2. CONSISTENCY WITH GENERAL PLAN. The City Council has found and determined that this Fifth Amendment of the Development Agreement is consistent with the General Plan and the Sierra Vista Specific Plan.

3. AMENDMENT. This Fifth Amendment amends, but does not replace or supersede, the Development Agreement, except as specified herein. As amended hereby, the Development Agreement remains in full force and effect.

4. FORM OF AGREEMENT. This Fifth Amendment is executed in two duplicate originals, each of which is deemed to be an original.

**IN WITNESS WHEREOF**, the City of Roseville, a municipal corporation, has authorized the execution of the Fifth Amendment in duplicate by its City Manager as attested to by its City Clerk under the authority of Ordinance No. 6890, adopted by the Council of the City of Roseville on the 20<sup>th</sup> day of December, 2024.

CITY OF ROSEVILLE,  
a municipal corporation

By:  \_\_\_\_\_

Dominick Casey  
City Manager

LANDOWNER:

WESTPARK S.V. 400, LLC,  
a California limited liability company

By:  \_\_\_\_\_


Jeff Jones  
Manager

ATTEST:


By:  \_\_\_\_\_

Carmen Avalos  
City Clerk

APPROVED AS TO FORM:

By:   
for Michelle Sheidenberger  
City Attorney

APPROVED AS TO SUBSTANCE:

By:   
Mike Isom  
Development Services Director

## ACKNOWLEDGMENT

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 the truthfulness, accuracy, or validity of that document.

State of California  
County of Placer)

On December 20, 2024 before me, Blair Hutchison, Notary Public  
(insert name and title of the officer)

personally appeared Dominick Casey,  
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 *Blair Hutchison* (Seal)



# CALIFORNIA CERTIFICATE OF ACKNOWLEDGMENT

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 the truthfulness, accuracy, or validity of that document.

State of California )

County of Placer )

On October 3, 2024 before me, Crystal Rae Boehm, Notary Public c.  
(here insert name and title of the officer)

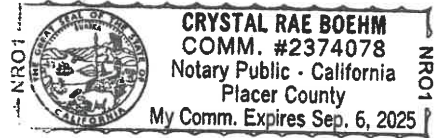
personally appeared Jeffery Jones

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



(Seal)

## Optional Information

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgment to an unauthorized document and may prove useful to persons relying on the attached document.

### Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document titled/for the purpose of Fifth Amendment of Dev. Agmt. between City of Roseville and Westpark S.V. 400, containing \_\_\_\_\_ pages, and dated October 3, 2024 LLC

The signer(s) capacity or authority is/are as:

- Individual(s)
- Attorney-in-Fact
- Corporate Officer(s) \_\_\_\_\_  
Title(s)
  
- Guardian/Conservator
- Partner - Limited/General
- Trustee(s)
- Other: \_\_\_\_\_

representing: Westpark S.V. 400, LLC  
Name(s) of Person(s) or Entity(ies) Signer is Representing

### Additional Information

#### Method of Signer Identification

Proved to me on the basis of satisfactory evidence:  
 form(s) of identification     credible witness(es)

Notarial event is detailed in notary journal on:  
Page # \_\_\_\_\_ Entry # \_\_\_\_\_

Notary contact: \_\_\_\_\_

#### Other

- Additional Signer(s)     Signer(s) Thumbprint(s)
- \_\_\_\_\_

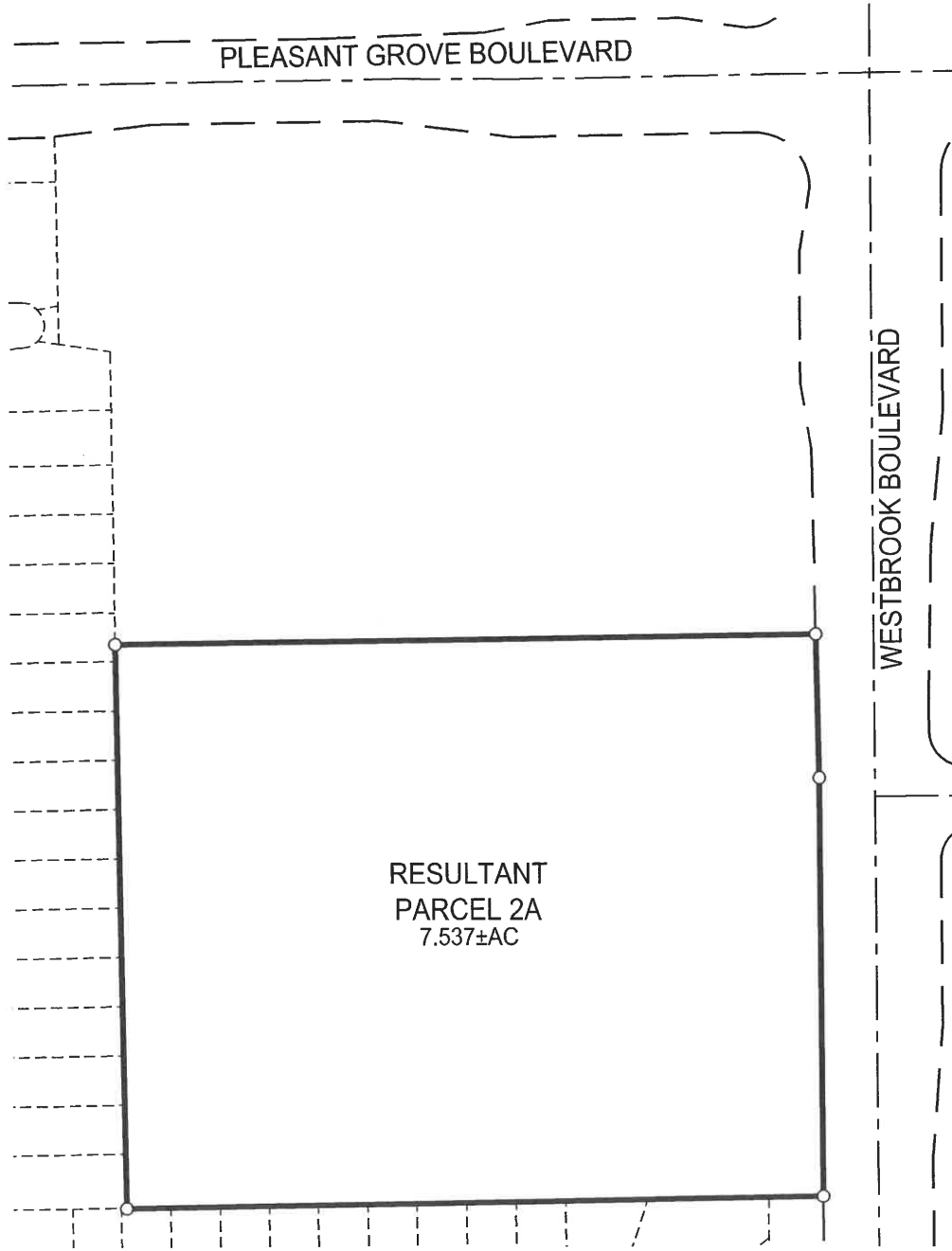
## **EXHIBIT "A"**

### **DESCRIPTION OF PROPERTY**

All that real property situated in the City of Roseville, County of Placer, State of California located within Section 26, Township 11 North, Range 5 East, Mount Diablo Meridian, and more particularly described as follows:

All of Resultant Parcel 2A as described in that certain Grant Deed recorded on November 19, 2024 as Document Number 2024-0063063, Official Records of Placer County.

Contains 7.537 acres of land, more or less.



RESULTANT  
PARCEL 2A  
7.537±AC

PLEASANT GROVE BOULEVARD

WESTBROOK BOULEVARD

SHEET 1 OF 1



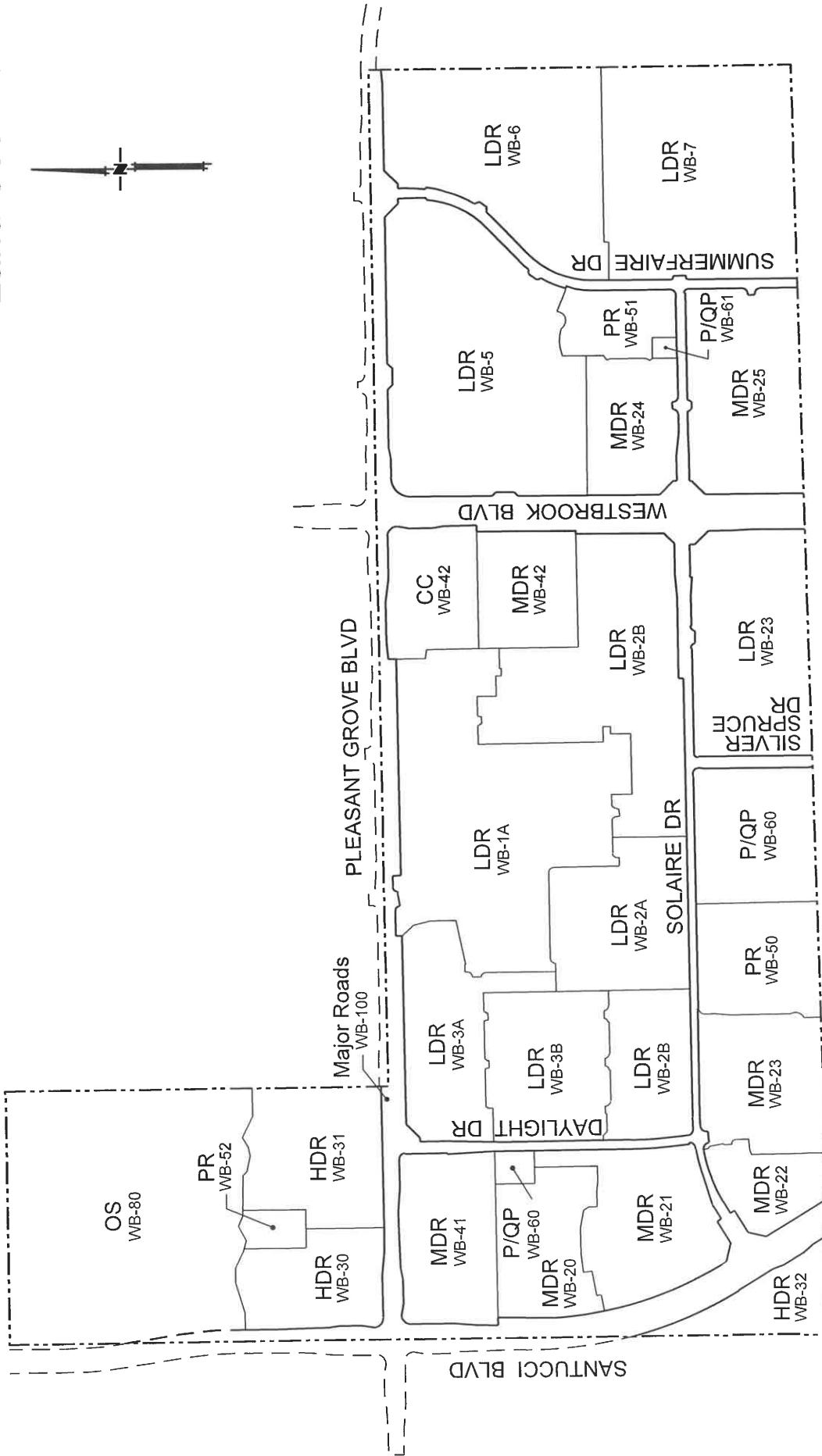
**EXHIBIT B**  
 PROPERTY MAP  
 WESTBROOK WB-42  
 RESULTANT PARCEL 2A  
 CITY OF ROSEVILLE  
 COUNTY OF PLACER STATE OF CALIFORNIA

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**MACKAY & SOMPS**  
 ENGINEERS PLANNERS SURVEYORS  
 1025 Creekside Ridge Drive, Suite 150, Roseville, CA 95678 (916) 773-1189

PJ	1"=160'	09/16/2024	18437
DRAWN BY	SCALE	DATE	JOB NO.

# Land Use Plan



ORDINANCE NO. 6889

ORDINANCE OF THE COUNCIL OF THE CITY OF ROSEVILLE  
AMENDING ZONING ORDINANCE NO. 5428 OF THE CITY OF ROSEVILLE  
CHANGING THE ZONING OF CERTAIN REAL PROPERTY LOCATED  
WITHIN THE CITY OF ROSEVILLE

THE CITY OF ROSEVILLE ORDAINS:

SECTION 1. The Council of the City of Roseville has reviewed the findings of the Planning Commission recommending approval of the rezone specified herein, and makes the following findings pursuant to Section 19.86.050 of the Zoning Ordinance:

1. The rezone is in conformance with the public interest, health, safety, or welfare of the City; and
2. The rezone is consistent with the objectives, policies, programs, and land use designations of the City of Roseville General Plan

SECTION 2. Section 19.06.020 of the Zoning Ordinance of the City of Roseville, Ordinance No. 5428, is amended to change the zoning of that portion of certain real property within the City of Roseville known as Parcel WB-42B of the Sierra Vista Specific Plan, as shown and so designated in Exhibit "C", which is attached hereto and incorporated herein by reference, is hereby rezoned from Community Commercial (CC) to Small Lot Residential/Development Standards (RS/DS).

SECTION 3. This ordinance shall be effective at the expiration of thirty (30) days from the date of adoption.

SECTION 4. The City Clerk is hereby directed to cause this ordinance to be published in full at least once within fourteen (14) days after it is adopted in a newspaper of general circulation in the City, or shall within fourteen (14) days after its adoption cause this ordinance to be posted in full in at least three (3) public places in the City and enter in the Ordinance Book a certificate stating the time and place of said publication by posting.

PASSED AND ADOPTED by the Council of the City of Roseville this 20th day of November 2024, by the following vote on roll call:

AYES COUNCILMEMBERS: Houdesheldt, Bernasconi, Alvord, Roccucci, Mendonsa

NOES COUNCILMEMBERS: None

ABSENT COUNCILMEMBERS: None



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MAYOR

ATTEST:



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City Clerk

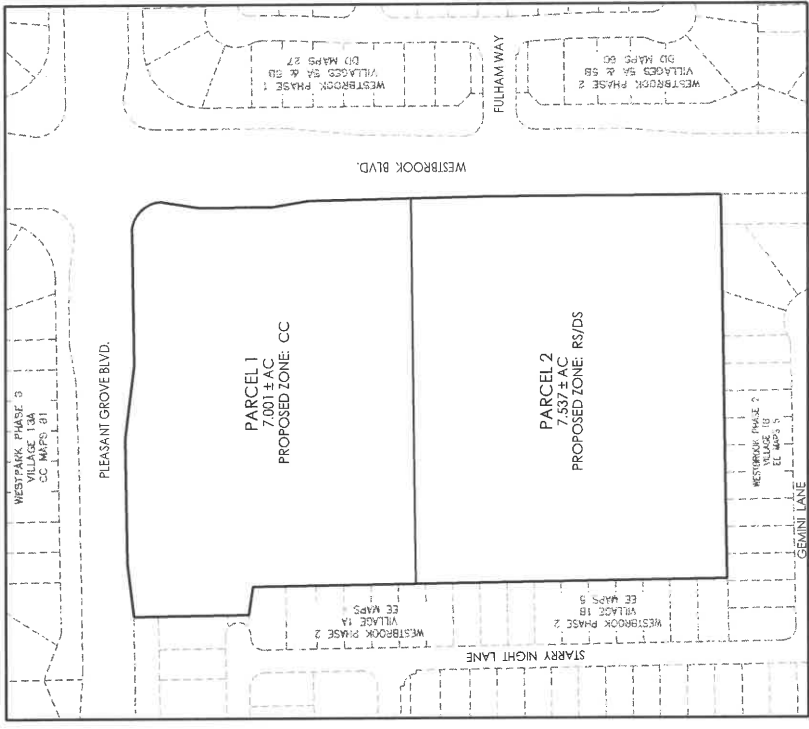
The foregoing instrument is a correct copy of the original on file in the City Clerks Department  
Attest:

City Clerk of the City of Roseville, California

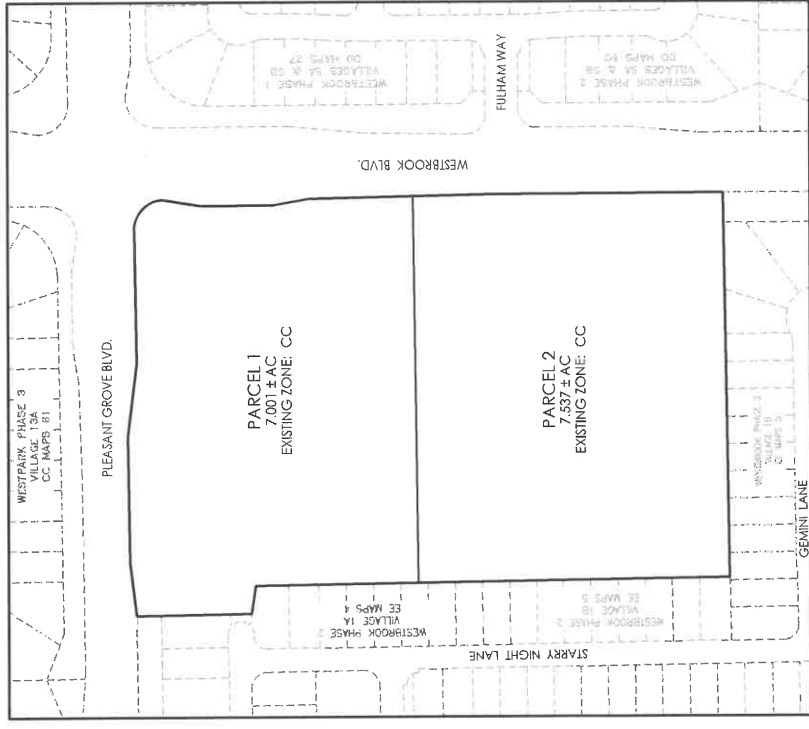


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Deputy Clerk



PROPOSED



EXISTING



0 100 200 400  
SCALE: 1" = 200'

PARCEL #	EXISTING ZONE	PROPOSED ZONE	EXISTING ACRES (GR.)	PROPOSED ACRES (GR.)
1	CC	CC	7.001	7.001
2	CC	RS/DS	7.537	7.537
TOTALS			14.538	14.538

REZONE EXHIBIT

# PARCEL WB-42

Scale: 1" = 200' March 29, 2024



ORDINANCE NO. 6890

ADOPTING A FIFTH AMENDMENT OF THE DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF ROSEVILLE AND WESTPARK S.V. 400, LLC, RELATIVE TO THE SIERRA VISTA SPECIFIC PLAN AND AUTHORIZING THE CITY MANAGER TO EXECUTE IT ON BEHALF OF THE CITY OF ROSEVILLE

THE CITY OF ROSEVILLE ORDAINS:

SECTION 1. In accordance with Chapter 19.84 of Title 19 of the Roseville Municipal Code (the Zoning Ordinance) of the City of Roseville, the City Council has received the recommendation of the Planning Commission that the City of Roseville enter into a Fifth Amendment of the Development Agreement by and between the City of Roseville and Westpark S.V. 400, LLC, pertaining to property located within the Sierra Vista Specific Plan area.

SECTION 2. Prior to considering the proposed Fifth Amendment to Development Agreement, the City Council considered the 13th Addendum to the Sierra Vista Specific Plan Environmental Impact Report (EIR) (SCH #2008032115, certified May 5, 2010), pursuant to the California Environmental Quality Act, California Public Resources Code Section 21000 et seq.

SECTION 3. The Council of the City of Roseville has reviewed the findings of the Planning Commission recommending approval of the Fifth Amendment to Development Agreement, and makes the following findings:

1. The Fifth Amendment to the Development Agreement is consistent with the objectives, policies, programs and land use designations of the City of Roseville General Plan and the Sierra Vista Specific Plan;
2. The Fifth Amendment to the Development Agreement is consistent with the City of Roseville Zoning Ordinance;
3. The Fifth Amendment to the Development Agreement is in conformance with the public health, safety and welfare;
4. The Fifth Amendment to 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 Fifth Amendment to the Development Agreement will provide sufficient benefit to the City to justify entering into said Amendment.

SECTION 4. The Fifth Amendment to Development Agreement by and between the City of Roseville and Westpark S.V. 400, LLC, a copy of which is on file in the City Clerk's Department and incorporated herein by reference, is hereby approved and the City Manager is authorized to execute it on behalf of the City of Roseville.

SECTION 5. The City Clerk is directed to record the executed Development Agreement Amendment within ten (10) days of the execution of the agreement by the City Manager with the County Recorder's Office of the County of Placer.

SECTION 6. This ordinance shall be effective at the expiration of thirty (30) days from the date of its adoption.

SECTION 7. The City Clerk is hereby directed to cause this ordinance to be published in full at least once within fourteen (14) days after it is adopted in a newspaper of general circulation in the City, or shall within fourteen (14) days after its adoption cause this ordinance to be posted in full in at least three (3) public places in the City and enter in the Ordinance Book a certificate stating the time and place of said publication by posting.

PASSED AND ADOPTED by the Council of the City of Roseville this 20th day of November 2024, by the following vote on roll call:

AYES COUNCILMEMBERS: Houdesheldt, Bernasconi, Alvord, Roccucci, Mendonsa

NOES COUNCILMEMBERS: None

ABSENT COUNCILMEMBERS: None



\_\_\_\_\_  
MAYOR

ATTEST:



\_\_\_\_\_  
City Clerk

The foregoing instrument is a correct copy of the original on file in the City Clerks Department  
Attest: \_\_\_\_\_

City Clerk of the City of Roseville, California

  
\_\_\_\_\_  
Deputy Clerk