

RESOLUTION NO. 2021-89

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA
APPROVING THE DESIGNATION OF A PORTION OF CITY PROPERTIES AS
SHOWN ON THE PHASE 2 EAST FINAL MAP AS CALIFORNIA AVENUE RIGHT
OF WAY

WHEREAS, at the regularly scheduled meeting of February 2, 2021, the City Council adopted Resolution No. 2021-06, approving the Phase 2 East/Residential Final Map for The Dunes on Monterey Bay Development Project Subdivision. As part of the approval for the Phase 2 East/Residential Final Map, a future dedication of right-of-way establishing 4th Avenue and California Avenue on existing City property would need to take place for the development of Phase 3; and

WHEREAS, at the regularly scheduled meeting of July 20, 2021, the City Council adopted Resolution No. 2021-85, approving the designation of a portion of Lot 24 as shown on the Phase 2 East Final Map as 4th Avenue Right of Way; and

WHEREAS, the approval of the Phase 2 East amended tentative map identifies the new alignment for California Avenue, a portion of which goes through Lot 24 and 25 (Volume 23, Cities & Town, pg. 36), Exception Parcel 3 (Volume 23, Record of Survey, pg. 98), and Parcel A (Volume 29, Record of Survey, pg. 105), which are all owned by the City. Due to the timing of street improvements, public access and utilities through future California Avenue for both Phase 2 East and Phase 3, portions of City properties will need to be designated as right-of-way (**Exhibit A**). The exact location, dimensions and area of this right-of-way were unknown prior to this request which, if dedicated earlier, would have required additional City Council action to correct the alignment; and

WHEREAS, in evaluation of this dedication, the intended right-of-way area through City properties are in substantial conformance with the tentative map as amended as well as the project Specific Plan. With these findings, staff is recommending the designation of a portion of City properties as City right-of-way; and

WHEREAS, there is no fiscal impact should the City Council approve this request. Approximately half of the street improvements within the designated right-of-way section adjacent to Phase 2 shall be funded and constructed by the Developer as part of the Dunes Phase 2 East subdivision. The remainder of the right-of-way improvements will be funded by Development Impact Fees.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Marina does hereby approve the designation of a portion of various City properties as shown on the Phase 2 East Final Map as California Avenue Right of Way.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting held on the 3rd day of August 2021, by the following vote:

AYES: COUNCIL MEMBERS: Medina Dirksen, Burnett, Berkley, Biala, Delgado

NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

Bruce Delgado, Mayor

ATTEST:

Anita Sharp, Deputy City Clerk

EXHIBIT A TO THE STAFF REPORT

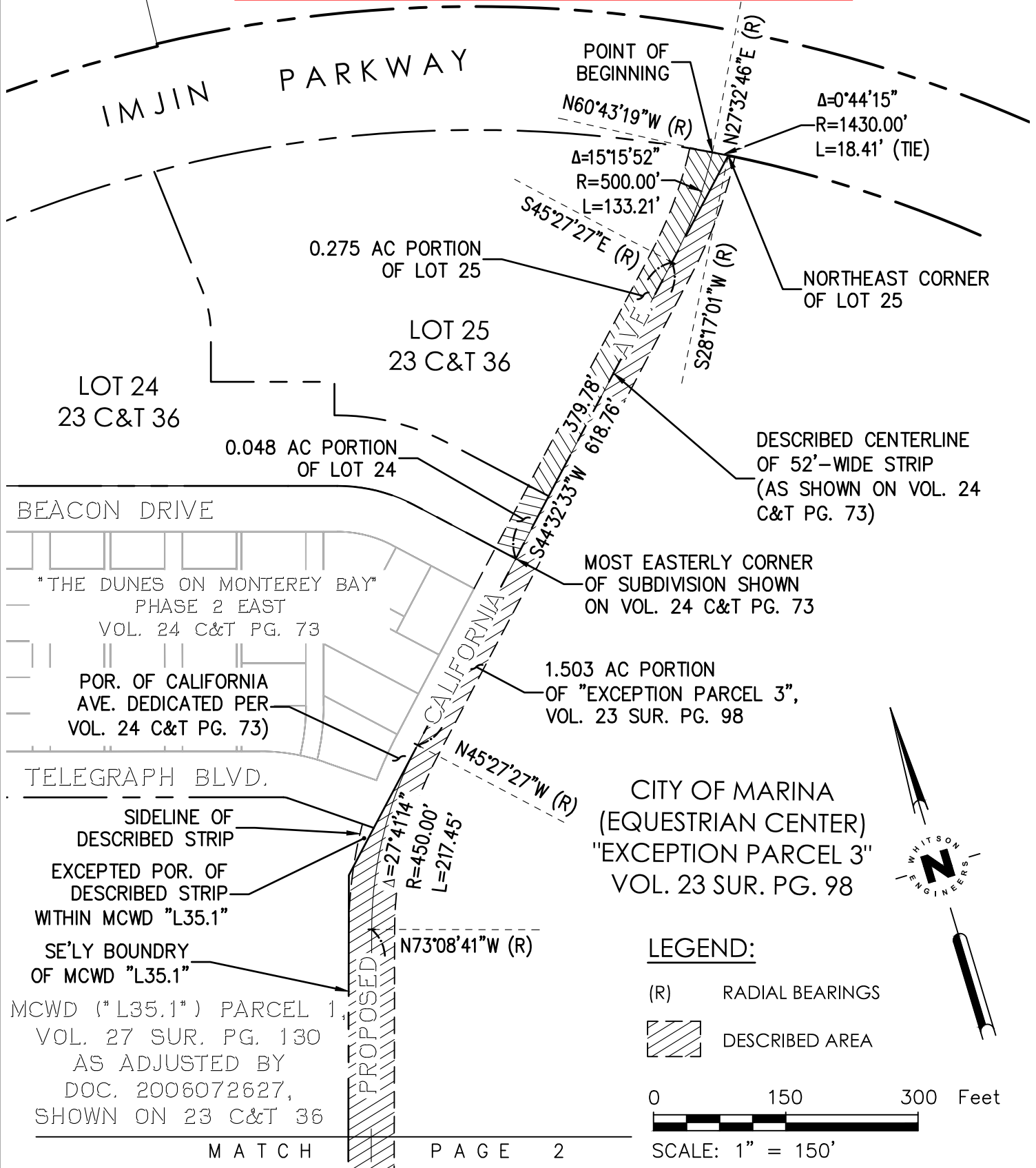


EXHIBIT B

PLAT TO ACCOMPANY DESCRIPTION "EXHIBIT A"
PROPOSED CALIFORNIA AVE THROUGH CITY OF MARINA PROPERTY
MARINA, CALIFORNIA

7/21/2021

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Civil Engineering +
Land Surveying
6 Harris Court
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whitsonengineers.com

M A T C H

P A G E 1

0 150 300 Feet



SCALE: 1" = 150'

MCWD ("L35.1") PARCEL 1,
VOL. 27 SUR. PG. 130
AS ADJUSTED BY
DOC. 2006072627,
SHOWN ON 23 C&T 36

CITY OF MARINA
(EQUESTRIAN CENTER)
"EXCEPTION PARCEL 3"
VOL. 23 SUR. PG. 98



SE'LY BOUNDRY
OF MCWD "L35.1"

1.503 AC PORTION
OF "EXCEPTION PARCEL 3",
VOL. 23 SUR. PG. 98

9TH STREET

POR. OF CALIFORNIA
AVE. DEDICATED PER
VOL. 24 C&T PG. 73)

N73°08'41"W (R)

N80°44'19"W (R)

S66°58'55"W (R)

WIDTHS VARY

0.097 AC PORTION
OF PARCEL A,
VOL. 29 SUR. PG. 105

CITY OF MARINA
PARCEL A
VOL. 29 SUR., PG. 105

"THE DUNES ON MONTEREY BAY"
PHASE 2 EAST
VOL. 24 C&T PG. 73

DESCRIBED CENTERLINE OF
52'-WIDE STRIP AS SHOWN
ON VOL. 24 C&T PG. 73

 $\Delta=55^{\circ}38'35''$

R=200.00'

L=194.23'

ROADS DEDICATED PER
VOL. 24 C&T PG. 73)

8TH STREET

N66°58'55"E (R)

N82°16'23"E (R)

S57°22'30"E (R)

N56°50'19"W

211.43' (TIE)

TERMINUS

SOUTHEASTERLY TERMINUS
OF 8TH ST SHOWN ON
VOL. 24 C&T PG. 73

EXHIBIT B**PLAT TO ACCOMPANY DESCRIPTION "EXHIBIT A"****PROPOSED CALIFORNIA AVE THROUGH CITY OF MARINA PROPERTY**

MARINA, CALIFORNIA



Whitson
ENGINEERS

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6 Harris Court
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7/21/2021

PAGE 2 OF 2

PROJECT No.: 3140.00

T:\Monterey Projects\3140\SURVEY\LEGAL DESC\California Ave\3140 Plat - California Ave.dwg

EXHIBIT A

LEGAL DESCRIPTION CALIFORNIA AVENUE RIGHT-OF-WAY THROUGH CITY OF MARINA PROPERTY

Certain real property in the City of Marina, County of Monterey, State of California, being portions of Lots 24 and 25 as said lots are shown on the map filed for record August 25, 2006 in Volume 23, of Cities and Towns at Page 36 in the Office of the County Recorder of said County, a portion of "Exception Parcel 3" as shown on the map filed for record June 15, 2000 in Volume 23 of Surveys at Page 98 in the office of the County Recorder of said County, and a portion of Parcel A as shown on the map filed for record February 13, 2008 in Vol. 29 Surveys Pg. 105, described as follows:

Those portions of the hereinabove described parcels lying within the 52'-wide strip of land for California Avenue as depicted on the map entitled "Tract. No. 1550 – The Dunes on Monterey Bay – Phase 2 East" and filed for record June 9, 2021 in Volume 24 of Cities and Towns at Page 73 in the Office of the County Recorder of said County.

Being more particularly described as follows:

A strip of land, 52.00 feet wide, lying 26.00 feet on each side of the following described centerline:

BEGINNING at a point on the northerly boundary of said Lot 25 (being also the southerly sideline of Imjin Parkway), at the intersection of said boundary with the centerline of the "Future 52' Wide Right-of-Way" as shown on said map filed in Volume 24 of Cities and Towns at Page 73, being also the southerly terminus of the curve labeled "C3" on sheet 7 of said map and the northwesterly terminus of the curve labeled "C1" as shown on said sheet 7, said point of beginning lies 18.41 feet westerly from the northeasterly corner of said Lot 25 along the arc of said curve "C1", said curve having a radius of 1,430 feet, and an included central angle of 0°44'15" as shown on said map; thence along the centerline of said 52'-wide strip as shown on said map the following seven (7) courses and distances:

- 1) Southwesterly 133.21 feet along the arc of a non-tangent curve to the right, concave northwesterly, having a radius of 500.00 feet (a radial line to the center of said curve bears North 60°43'19" West) through a central angle of 15°15'52" to a point on the southeasterly boundary of said Lot 25; thence tangentially along the southeasterly boundaries of Lots 25, and 24 and 23 as shown on said map filed in Volume 23, of Cities and Towns at Page 36, (said Lot 23 being also the property subdivided on said map filed in Volume 24 of Cities and Towns at Page 73)
- 2) South 44°32'33" West, 618.76 feet (at 379.78 feet being the most easterly corner of said Lot 23, being also the most easterly corner of the property subdivided on said map filed in Volume 24 of Cities and Towns at Page 73); thence departing said southeasterly boundary of said Lot 23
- 3) Southerly 217.45 feet along the arc of a tangent curve to the left having a radius of 450.00 feet, through a central angle of 27°41'14"; to a point on a line parallel with and distant 26.00 feet southeasterly from the southeasterly boundary of the parcel depicted as "MCWD L35.1" on said map filed in Volume 23, of Cities and Towns at Page 36 (said parcel being Parcel 1 as shown on the map filed for record December 23, 2004 in Volume 27 of Surveys at Page 130, as subsequently adjusted per Document No. 2006072627, Official Records of said County); thence along said parallel line and the southerly prolongation thereof
- 4) South 16°51'19" West, 789.69 feet; thence departing said parallel line
- 5) Southerly 156.58 feet along the arc of a tangent curve to the left having a radius of 225.00 feet, through a central angle of 39°52'24"; thence
- 6) South 23°01'05" East, 325.74 feet; thence

- 7) Southerly 194.23 feet along the arc of a tangent curve to the right having a radius of 200.00 feet, through a central angle of 55°38'35" to the terminus of said strip, being the southerly terminus of the aforesaid centerline of the centerline of California Avenue as shown on said map filed in Volume 24 of Cities and Towns at Page 73, being also a point on the centerline of 8TH Street as shown on said map that bears North 56°50'19" West, 211.43 feet from the southeasterly terminus of said 8TH Street shown on said map.

The sidelines at the beginning of said strip are to be extended or shortened so as to terminate on said northerly boundary of said Lot 25. The sidelines at the terminus of said strip are to be extended or shortened so as to terminate on the centerline of said 8TH street.

EXCEPTING THEREFROM those portions of said strip lying within the aforesaid parcel depicted as "MCWD L35.1" on said map filed in Volume 23, of Cities and Towns at Page 36 and those portions previously dedicated for public road and utility purposes as per said map filed in Volume 24 of Cities and Towns at Page 73.

Containing 1.923 acres, more or less.

As shown on the plat "Exhibit B" attached hereto and made a part hereof.

END OF DESCRIPTION

PREPARED BY:
WHITSON ENGINEERS



7/21/2021

RICHARD P. WEBER, LS
L.S. No. 8002
Job No.: 3140

DATE



July 29, 2021

Item No. **8f(2)**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of August 3, 2021

RECOMMENDATION TO CONSIDER ADOPTING RESOLUTION NO. 2021-, APPROVING THE DESIGNATION OF A PORTION OF VARIOUS CITY PROPERTIES AS SHOWN ON THE PHASE 2 EAST FINAL MAP AS CALIFORNIA AVENUE RIGHT OF WAY.

RECOMMENDATION:

It is recommended that the City Council consider:

- (1) Adopting Resolution No. 2021, approving the designation of a portion of various City properties as shown on the Phase 2 East Final Map as California Avenue Right of Way.

BACKGROUND:

At the regularly scheduled meeting of February 2, 2021, the City Council adopted Resolution No. 2021-06, approving the Phase 2 East/Residential Final Map for The Dunes on Monterey Bay Development Project Subdivision. As part of the approval for the Phase 2 East/Residential Final Map, a future dedication of right-of-way establishing 4th Avenue and California Avenue on existing City property would need to take place for the development of Phase 3.

At the regularly scheduled meeting of July 20, 2021, the City Council adopted Resolution No. 2021-85, approving the designation of a portion of Lot 24 as shown on the Phase 2 East Final Map as 4th Avenue Right of Way.

ANALYSIS:

The approval of the Phase 2 East amended tentative map identifies the new alignment for California Avenue, a portion of which goes through Lot 24 and 25 (Volume 23, Cities & Town, pg. 36), Exception Parcel 3 (Volume 23, Record of Survey, pg. 98), and Parcel A (Volume 29, Record of Survey, pg. 105), which are all owned by the City. Due to the timing of street improvements, public access and utilities through future California Avenue for both Phase 2 East and Phase 3, portions of City properties will need to be designated as right-of-way (“**Exhibit A**”). The exact location, dimensions and area of this right-of-way were unknown prior to this request which, if dedicated earlier, would have required additional City Council action to correct the alignment.

In evaluation of this dedication, the intended right-of-way area through City properties are in substantial conformance with the tentative map as amended as well as the project Specific Plan. With these findings, staff is recommending the designation of a portion of City properties as City right-of-way.

FISCAL IMPACT:

There is no fiscal impact should the City Council approve this request. Approximately half of the street improvements within the designated right-of-way section adjacent to Phase 2 shall be funded and constructed by the Developer as part of the Dunes Phase 2 East subdivision. The remainder of the right-of-way improvements will be funded by Development Impact Fees.

CONCLUSION:

This request is submitted for City Council consideration and possible action.

Respectfully submitted,

Edrie Delos Santos, P.E.
Senior Engineer
Public Works Department
City of Marina

REVIEWED/CONCUR:

Brian McMinn, P.E., P.L.S.
Public Works Director/City Engineer
City of Marina

Layne P. Long
City Manager
City of Marina