

RESOLUTION NO. 2024-96

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 WEST FINAL MAP AS 8th STREET RIGHT OF WAY.

WHEREAS, at the regularly scheduled meeting of December 5, 2017, the City Council adopted Resolution No. 2017-108, accepting the offer of dedication of right-of-way on 8th/9th Street from Marina Community Partners, LLC, and designating City Property as right-of-way of 8th/9th Street. Remaining parcels along the southern portion of the 8th/9th Street dedication would be designated as right-of-way as development of Phase 2 West was developed, and;

WHEREAS, at the regularly scheduled meeting of October 6, 2022, the City Council adopted Resolution No. 2022-119, approving an amendment to residential lots, open space and roadways in Phase 2 West. The amendment included the multimodal pathway within the remaining City property along the southern portion of 8th/9th Street not yet designated as right of way, and;

WHEREAS, at the regular meeting of November 21, 2023, the City Council adopted Resolution No. 2023-123, approving the Phase 2 West/Residential Final Map for the Dunes on Monterey Bay Development Project Subdivision. This map showed the remaining areas of the roadway owned by the City needing right-of-way designation as Lots 17 and a portion of Lot 15, and;

WHEREAS, the areas to be designated as right-of-way are shown on Exhibit A. Along with the multimodal pathway, there are overhead power lines that require to be relocated underground within the right-of-way. PG&E requires that the lands shown in the Exhibit be designated before any undergrounding can take place, 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. The right-of-way improvements will be funded by Development Impact Fees. Maintenance of the multimodal pathway will be covered by private parties through agreements with the City that will be considered at a later date, and;

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 West Final Map as 8th Street Right of Way.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting held on the 4th day of September 2024, by the following vote:

AYES: COUNCIL MEMBERS: McAdams, Visscher, Delgado

NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: McCarthy, Biala

ABSTAIN: COUNCIL MEMBERS: None

Bruce Delgado, Mayor

ATTEST:

Anita Sharp, City Clerk

**LEGAL DESCRIPTION
RIGHT-OF-WAY DESIGNATION OVER A PORTION OF
LOT 15, VOLUME 23 OF CITIES AND TOWNS, PAGE 36**

Certain real property in the City of Marina, County of Monterey, State of California, being a portion of Lot 15 as 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, described as follows:

Beginning at the most westerly corner of Lot 17 as shown on the map filed for record June 1, 2023 in Volume 24 of Cities and Towns at Page 86; thence along the southerly line of said Lot 17

- 1) South 88°20'00" East, 28.58 feet to a point along the southerly boundary of said Lot 15; thence along said southerly boundary the following three (3) courses and distances
- 2) Westerly 312.30 feet along the arc of a non-tangent curve to the right having a radius of 568.00 feet (a radial bearing to the beginning of said curve bears South 29°48'46" East), through a central angle of 31°30'11"; thence tangentially
- 3) North 88°18'35" West, 267.19 feet; thence
- 4) Northwesterly 26.84 feet along the arc of a non-tangent curve to the left having a radius of 50.00 feet (a radial bearing to the beginning of said curve bears North 69°01'36" East), through a central angle of 30°45'12" to a point on the southerly boundary of the property described as "9th Street Dedication Parcel 3" in Exhibits B-1 and B-2 of the document recorded as Document No. 2018042489, Official Records of Monterey County; thence along the southerly boundary of said "9th Street Dedication Parcel 3" the following four (4) courses and distances
- 5) South 88°20'00" East, 221.47 feet; thence
- 6) South 72°04'23" East, 25.00 feet; thence
- 7) South 88°20'00" East, 37.49 feet; thence
- 8) Easterly 280.67 feet along the arc of a tangent curve to the left having a radius of 554.00 feet, through a central angle of 29°01'40" to the point of beginning.

Containing 9,595 square feet, more or less.

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

END OF DESCRIPTION

PREPARED BY:
WHITSON ENGINEERS



RICHARD P. WEBER, LS
L.S. No. 8002
Job No.: 3140.33

8/21/2024
DATE



**LEGAL DESCRIPTION
RIGHT-OF-WAY DESIGNATION OVER
LOT 17, VOLUME 24 OF CITIES AND TOWNS, PAGE 86**

Certain real property in the City of Marina, County of Monterey, State of California, being a portion of Lot 15 as 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, described as follows:

That portion of said Lot 15 further subdivided and designated as Lot 17 as per the map filed for record June 1, 2023 in Volume 24 of Cities and Towns at Page 86.

Containing 1,986 square feet, more or less, as shown on said map.

END OF DESCRIPTION

PREPARED BY:
WHITSON ENGINEERS



8/21/2024

RICHARD P. WEBER, LS

DATE

L.S. No. 8002

Job No.: 3140.33

100 0 100 200

SCALE: 1" = 100'

LEGEND

--- PROPERTY BOUNDARIES
 DESCRIBED AREA

PARCEL 1
23 PM 61

REMAINDER
PARCEL
23 PM 27

LOT 35
24 C&T 86

LOT 36

LOT 34
24 C&T 86

LOT 33
24 C&T 86

8TH STREET
POR. LOT 15
23 C&T 36

POINT OF
BEGINNING

8th St

EXISTING ROW DEDICATED PER
DOC#2018042489

DESCRIBED
RIGHT-OF-WAY:
9,595± SQ. FT.

LOT 17
24 C&T 86

LOT 18
23 C&T 36

N69°01'36"E
(RADIAL)

S29°48'46"E
(RADIAL)

LINE & CURVE DATA

No.	DELTA/BEARING	RADIUS	LENGTH
1	S88°20'00"E		28.58
2	31°30'11"	568.00	312.30
3	N88°18'35"W		267.19
4	30°45'12"	50.00	26.84
5	S88°20'00"E		221.47
6	S72°04'23"E		25.00
7	S88°20'00"E		37.49
8	29°01'40"	554.00	280.67

1st Ave

20 SUR 90

LOT 19
23 C&T 36



PLAT TO ACCOMPANY DESCRIPTION DUNES ON MONTEREY BAY - PHASE 2 WEST RIGHT-OF-WAY DESIGNATION

MARINA, CALIFORNIA
8/21/2024



Civil Engineering +
Land Surveying
6 Harris Court
Monterey, CA 93940
831.649.5225
whitsonengineers.com

August 27, 2024

Item No. **10f(1)**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of September 4, 2024

RECOMMENDATION TO CONSIDER ADOPTING RESOLUTION NO. 2021-, APPROVING THE DESIGNATION OF A PORTION OF CITY PROPERTIES AS SHOWN ON THE PHASE 2 WEST FINAL MAP AS 8th STREET RIGHT OF WAY.

RECOMMENDATION:

It is recommended that the City Council consider approving the designation of a portion of various City properties as shown on the Phase 2 West Final Map as 8th Street Right of Way.

BACKGROUND:

At the regularly scheduled meeting of December 5, 2017, the City Council adopted Resolution No. 2017-108, accepting the offer of dedication of right-of-way on 8th/9th Street from Marina Community Partners, LLC, and designating City Property as right-of-way of 8th/9th Street. Remaining parcels along the southern portion of the 8th/9th Street dedication would be designated as right-of-way as development of Phase 2 West was developed.

At the regularly scheduled meeting of October 6, 2022, the City Council adopted Resolution No. 2022-119, approving an amendment to residential lots, open space and roadways in Phase 2 West. The amendment included the multimodal pathway within the remaining City property along the southern portion of 8th/9th Street not yet designated as right of way.

At the regular meeting of November 21, 2023, the City Council adopted Resolution No. 2023-123, approving the Phase 2 West/Residential Final Map for the Dunes on Monterey Bay Development Project Subdivision. This map showed the remaining areas of the roadway owned by the City needing right-of-way designation as Lots 17 and a portion of Lot 15.

ANALYSIS:

The areas to be designated as right-of-way are shown on Exhibit A. Along with the multimodal pathway, there are overhead power lines that require to be relocated underground within the right-of-way. PG&E requires that the lands shown in the Exhibit be designated before any undergrounding can take place.

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. The right-of-way improvements will be funded by Development Impact Fees. Maintenance of the multimodal pathway will be covered by private parties through agreements with the City that will be considered at a later date.

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:

Nourdin Khayata, P.E.
Interim Public Works Director/City Engineer
City of Marina

Layne P. Long
City Manager
City of Marina