

RESOLUTION NO. 2023-095

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE FINDING NO FURTHER ENVIRONMENTAL REVIEW IS REQUIRED UNDER CEQA PURSUANT TO STATE CEQA GUIDELINES SECTION 15162 (SUBSEQUENT EIRS AND NEGATIVE DECLARATIONS) AND SECTION 15183 (PROJECTS CONSISTENT WITH A COMMUNITY PLAN, GENERAL PLAN, OR ZONING) AND APPROVING THE VACATION OF A PORTION OF WATERMAN ROAD RIGHT-OF-WAY IN CONJUNCTION WITH THE TRIANGLE POINT 75 PROJECT (EG-13-057)

WHEREAS, the County of Sacramento was granted a right-of-way for public road by deed dated October 24, 1894, and recorded in Book 109 of Road Deeds, at page 104, over Assessor Parcel No. 134-0182-001 (Parcel) for the future right-of-way also known as Waterman Road. The City of Elk Grove (City), by incorporation, is the successor in interest to the easement; and

WHEREAS, on May 15, 2014, the City approved the Triangle Point 75 Project (EG-13-057), which included a Tentative Parcel Map and a Design Review (Project). The proposed realignment of Waterman Road and Waterman Court would have caused the current right-of-way to be unnecessary and create a small piece of unusable land, and

WHEREAS, this Project was conditioned to vacate a portion of the right-of-way to be consistent with the approved design; and

WHEREAS, the Applicant has provided verification that all utility providers have no objection to the vacation of a portion of Waterman Road right-of-way; and

WHEREAS, based on staff's review of the vacation, no special circumstances exist that would create a reasonable possibility that approving the vacation of a portion of Waterman Road will have a significant effect on the environment.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Elk Grove hereby finds that no further environmental review is required under CEQA pursuant to State CEQA Guidelines Section 15162 (Subsequent EIRs and Negative Declarations) and Section 15183 (Projects consistent with a Community Plan, General Plan, or Zoning) and the proposed vacation is consistent with the Elk Grove General Plan based upon the following findings:

CEQA

Finding: No further environmental review is required under CEQA pursuant to State CEQA Guidelines Section 15162 (Subsequent EIRs and Negative Declarations) and Section 15183 (Projects consistent with a Community Plan, General Plan, or Zoning).

Evidence: The proposed Project is exempt from the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Code of Regulations, Chapter 3, Division 6 (State CEQA Guidelines) Sections 15162 (Residential Projects Pursuant to a Specific Plan) and Section 15183 (Projects consistent with a Community Plan, General Plan, or Zoning).

Potential environmental impacts were analyzed as part of the Mitigated Negative Declaration (MND) for the Waterman Park 75 Project (EG-06-1158) (SCH# 2006022058) and the certified Environmental Impact Report (EIR) for the 2013-

2021 Housing Element (SCH# 2013082012). The Triangle Point 75 Tentative Parcel Map (TPM) was approved with a condition that the Triangle Point 75 Project is subject to all mitigation measures adopted with the Waterman Park 75 Project and the 2014 Elk Grove Housing Element Update (SCH# 2013082012). The applicable mitigation measures address impacts including, but not limited to, biological resources, cultural/historical resources, traffic, and air quality. The right-of-way vacation was contemplated as part of the Triangle Point 75 Project and is consistent with the Project's approval and associated conditions. Additionally, as evidenced in the General Plan finding below, is consistent with the General Plan.

The current request does not propose to amend any overall boundaries, uses, or development intensities that were analyzed in the prior MND and the EIR. The request to vacate right-of-way does not involve any physical changes to the environment and hence does not have the potential for causing a significant effect on the environment. Therefore, the adopted Mitigation Monitoring and Reporting Programs (MMRPs) that are applicable to the subject site is sufficient and, pursuant to State CEQA Guidelines Section 15162, which identifies the requirements for which subsequent analysis is required, no further environmental review is required.

General Plan

Finding: The proposed vacation is consistent with the City of Elk Grove General Plan.

Evidence: The re-alignment of Waterman Road through this area is consistent with General Plan Policy MOB-3-1, which encourage the City to implement a balanced transportation system using a layered network approach to building complete streets that ensure the safety and mobility of all users, including pedestrians, cyclists, motorists, children, seniors, and people with disabilities. The re-alignment also allows for the existing right-of-way to be abandoned. The vacation of the right-of-way will allow for future development on the parcel. No affected utility providers have indicated opposition to the vacation. The proposed vacation is consistent with General Plan Policy ED-2-2, which encourages the City to maximize the use of nonresidential land for employment-generating and revenue-generating uses as well as Policy ED-1-5 to support existing and prospective businesses that contribute to meeting Elk Grove's strategic economic goals and facilitate their relocation and expansion as appropriate.

AND, BE IT FURTHER RESOLVED that the City Council of the City of Elk Grove hereby finds:

- a. That the abandonment is being made under the Streets and Highway Code, Division 9, Part 3, Public Streets, Highways and Service Easement Vacation Law, Chapter 4, Vacation Sections 8320 through 8325 inclusive; and
- b. This easement being abandoned is described in the Legal Description attached as Exhibit A, and shown on the Plat to accompany Legal Description, attached as Exhibit B, both incorporated by this reference; and
- c. The public utility easements in this area shall remain.

AND, BE IT FURTHER RESOLVED AND ORDERED that a portion of Waterman Road right-of-way, as described in described in Exhibit A and shown on Exhibit B, both attached and incorporated by this reference, is hereby vacated;

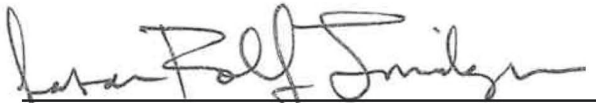
AND, BE IT FINALLY RESOLVED that the City Clerk of the City of Elk Grove shall cause a certified copy of this Resolution of Vacation and Exhibits A and B attached hereto attested by the Clerk under seal, to be recorded in the Office of the County Recorder of the County of Sacramento.

PASSED AND ADOPTED by the City Council of the City of Elk Grove on this 26th day of April 2023




BOBBIE SINGH-ALLEN, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY

**EXHIBIT A
WATERMAN ROAD
RIGHT-OF-WAY ABANDONMENT**

THE LAND DESCRIBED HEREIN SITUATED IN THE CITY OF ELK GROVE, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, BEING A PORTION OF SECTION 8 TOWNSHIP 6 NORTH, RANGE 6 EAST, M.D.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PORTION OF WATERMAN ROAD, 40 FEET WIDE, AS DESCRIBED IN BOOK 109 AT PAGE 104, OFFICIAL RECORDS OF SACRAMENTO COUNTY, LYING WITHIN THE FOLLOWING DESCRIBED PARCEL:

BEGINNING AT THE SOUTHERLY TERMINUS OF A COURSE DESIGNATED AS "SOUTH 00°38'57" EAST 1269.69 FEET" ON THE WEST LINE OF SAID SECTION 8, AS DESCRIBED IN THAT CERTAIN GRANT OF PUBLIC RIGHT-OF-WAY DOCUMENT RECORDED ON FEBRUARY 18, 2010 IN BOOK 20100218 AT PAGE 0566, OFFICIAL RECORDS OF SACRAMENTO COUNTY, THENCE LEAVING SAID WEST LINE AND ALONG THE RIGHT-OF-WAY LINE OF WATERMAN ROAD AS DESCRIBED IN SAID GRANT OF PUBLIC RIGHT-OF-WAY DOCUMENT AND THAT CERTAIN GRANT OF PUBLIC RIGHT-OF-WAY DOCUMENT RECORDED ON MARCH 09, 2010 IN BOOK 20100309 AT PAGE 0973, OFFICIAL RECORDS OF SACRAMENTO COUNTY, THE FOLLOWING SIX (6) COURSES: 1) ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1136.00 FEET AND A RADIAL BEARING OF SOUTH 80°00'53" WEST, THROUGH A CENTRAL ANGLE OF 19°41'26" FOR AN ARC LENGTH OF 390.40 FEET TO THE BEGINNING OF A REVERSE CURVE; 2) ALONG THE ARC OF SAID REVERSE CURVE TO THE RIGHT, HAVING A RADIUS OF 37.00 FEET, THROUGH A CENTRAL ANGLE OF 86°40'36" FOR AN ARC LENGTH OF 55.97 FEET; 3) SOUTH 57°00'03" WEST 5.00 FEET; 4) NORTH 32°59'57" WEST 4.00 FEET; 5) SOUTH 57°00'03" WEST 15.97 FEET TO THE BEGINNING OF A TANGENT CURVE; 6) ALONG THE ARC OF SAID TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 235.00 FEET, THROUGH A CENTRAL ANGLE OF 18°00'50" FOR AN ARC LENGTH OF 73.88 FEET TO THE EAST LINE OF WATERMAN ROAD, AS DESCRIBED IN SAID BOOK 109 AT PAGE 104; THENCE LEAVING SAID RIGHT-OF-WAY LINE AND CONTINUE ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 235.00 FEET, THROUGH A CENTRAL ANGLE OF 0°30'52" FOR AN ARC LENGTH OF 2.11 FEET TO THE BEGINNING OF A COMPOUND CURVE; THENCE ALONG THE ARC OF SAID COMPOUND CURVE TO THE LEFT, HAVING A RADIUS OF 210.00 FEET, THROUGH A CENTRAL ANGLE OF 22°50'32" FOR AN ARC LENGTH OF 83.72 FEET TO A POINT OF CUSP ON SAID WEST LINE OF SAID SECTION 8; THENCE ALONG SAID WEST LINE, NORTH 00°38'57" WEST 547.86 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 16,499 SQUARE FEET, MORE OR LESS.

THE ATTACHED PLAT ENTITLED "EXHIBIT B" IS MADE PART OF THIS LEGAL DESCRIPTION.

END OF DESCRIPTION


THIS DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION PURSUANT TO THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYOR'S ACT.

J. C. Koo

PREPARED BY: JIM C. KOO, P.L.S. 7829
DATE: FEBRUARY 13, 2023



LEGEND

- P.O.B. POINT OF BEGINNING
- (R) RADIAL
- (T) TOTAL
-  RIGHT-OF-WAY TO BE ABANDONED
(PUBLIC UTILITY EASEMENT TO REMAIN)
AREA = 16,499± SQ. FT.

500°38'57"E
1269.69'

P.O.B.

580°00'53"W(R)

WEST LINE
OF SECTION 8

APN
134-0181-015

N00°38'57"W
547.86'

40' ROAD PER
109 O.R. 104

PARCEL A
52 PM 16

PARCEL B
52 PM 16

0 100
SCALE: 1"=100'

Δ=19°41'26"
R=1136.00'
L=390.40'

Δ=0°30'52"
L=2.11'

Δ=22°50'32"
R=210.00'
L=83.72'

Δ=86°40'36"
R=37.00'
L=55.97'

557°00'03"W
5.00'

557°00'03"W
15.97'

L=73.88'

N32°59'57"W
4.00'

Δ=18°00'50"

Δ=18°31'42"(T)
R=235.00'
L=75.99'(T)

N51°31'39"W(R)

DETAIL
N.T.S.

SEE DETAIL

WATERMAN ROAD

RIGHT-OF-WAY PER
20100309 O.R. 0973
PER 52 PM 16

RIGHT-OF-WAY PER
20100218 O.R. 0566



B BURRELL CONSULTING GROUP, INC.
1001 Enterprise Way, Suite 100
Roseville, CA 95678 (916) 783-8898

EXHIBIT B
PORTION OF SECTION 8
T.6N., R.6.E, M.D.M.
WATERMAN ROAD ABANDONMENT

CITY OF ELK GROVE

CALIFORNIA

DRAWN BY: JCK
CHECKED BY: JCK

DATE: 02/13/2023

SHEET 1 OF 1

JOB NO. 1589-10-1203

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2023-095

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss
CITY OF ELK GROVE)

I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on April 26, 2023 by the following vote:

AYES: COUNCILMEMBERS: Singh-Allen, Spease, Brewer, Robles, Suen

NOES: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None



Jason Lindgren, City Clerk
City of Elk Grove, California