

RESOLUTION NO. 2368**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD
REQUESTING THE MONTEREY COUNTY LOCAL AGENCY FORMATION
COMMISSION TO INITIATE PROCEEDINGS TO APPROVE THE
PROPOSED VISTA SOLEDAD COMMUNITY REORGANIZATION
INVOLVING THE ANNEXATION OF PROJECT AREAS 1 &
2 TO THE CITY OF SOLEDAD AND DETACHMENT OF
THE SAME FROM THE GABILAN-SANTA LUCIA
RESOURCE CONSERVATION DISTRICT AND
THE MISSION-SOLEDAD RURAL FIRE
PROTECTION DISTRICT**

WHEREAS, Michael A. Dadasovich, Kathleen D. Dadasovich, Michael Hat, and Sharon Hat are the owners of property adjacent to the City of Soledad identified herein as Project Area 1, which contains Assessor's Parcel Numbers 257-101-37 and 39 and is located west of West Street and east of San Vicente Road; and,

WHEREAS, the City of Soledad is acting as the project proponent for a property located adjacent to the city identified herein as Project Area 2, which contains Assessor's Parcel Number 257-101-38 and is located immediately south of Project Area 1 between West Street and San Vicente Road; and,

WHEREAS, Michael A. Dadasovich, Kathleen D. Dadasovich, Michael Hat, and Sharon Hat have applied to the City of Soledad through Westvail, Inc. for rezoning and zoning map amendment, annexation (illustrated in Exhibit A, with findings detailed in Exhibit B), and approval of a tentative subdivision map for Project Area 1 to allow for the development of single-family residential, commercial, and public/institutional land uses; and,

WHEREAS, the City of Soledad proposed a worst-case development scenario based on the existing land use designation and proposed zoning designation for Project Area 2, and is applying for rezoning and zoning map amendment and annexation to ensure consistency with the general plan and to allow for the development of multi-family residential land uses; and,

the City of Soledad has certified said FEIR as adequate, and the City Council of the City of Soledad has adopted a resolution for certification of the Vista Soledad Community Final Environmental Impact Report as adequate, and said certification and findings for Project Area I are included in "Exhibits C, D, E, F, and G" and for Project Area 2 are included in "Exhibit H" attached hereto and incorporated herein by reference; and,

WHEREAS, the City Council of the City of Soledad has adopted an ordinance rezoning Project Area 1, which consists of approximately 205+ acres, as R-1 (Single-Family Residential District), C-C (Community Commercial District), PF (Public Facility District), and OS (Open Space District); and,

WHEREAS, the City Council of the City of Soledad has adopted an ordinance rezoning Project Area 2 of the Vista Soledad Community Subdivision, which consists of approximately 19.29 acres, as R-2 (Multi-Family Residential District); and,

WHEREAS, the City of Soledad desires to initiate proceedings pursuant to the Cortese-Knox Local Government Reorganization Act, Section 56880, provisions of Part 3, Division 3, of Title 5, commencing with Section 56650 of the California Government Code, for a reorganization of the territory consisting of the annexation of Project Areas 1 and 2, which contain approximately 224.29 acres, to the City of Soledad and detachment of the same 224.29 acres from the Gabilan-Santa Lucia Resource Conservation District and the Mission Soledad Rural Fire Protection District; and,

WHEREAS, the territory proposed to be reorganized is uninhabited and a map of the boundaries of the territory is included in "Exhibit A" attached hereto and incorporated herein by reference; and,

WHEREAS, the findings for such request that the Monterey County Local Agency Formation Commission annex Project Areas I and 2, which contain approximately 224.29 acres, to the City of Soledad are included in "Exhibit B" attached hereto and incorporated herein by reference; and,

WHEREAS, the Planning Commission of the City of Soledad held a public hearing on the proposed project on July 25, 1994, and after confirming proper modification of tentative map conditions and receiving a report concerning an impact mitigation agreement reached between the project proponent and the local school districts recommended that the City Council of the City of Soledad approve a request to the Monterey County Local Agency Formation Commission to initiate proceedings for the reorganization of the territory described in "Exhibit A" attached hereto and incorporated herein by reference.

NOW, THEREFORE, be it hereby resolved by the City Council of the City of Soledad as follows:

1. This resolution is hereby adopted by the City Council of the City of Soledad requesting the Monterey County Local Agency Formation Commission to initiate proceedings for the reorganization of territory illustrated in "Exhibit A" attached hereto and incorporated herein by reference, subject to a second reading and adoption of the Ordinance rezoning the property pursuant to the annexation findings included in "Exhibit B" attached hereto and incorporated herein by reference, and pursuant to the CEQA certification and findings included in "Exhibit C", "Exhibit D", "Exhibit E", "Exhibit F", "Exhibit G", and "Exhibit H" attached hereto and incorporated herein and into the Final EIR by reference, according to the terms and conditions stated above, and in the manner provided by the Cortese-Knox Local Government Reorganization Act of 1985.

PASSED AND ADOPTED at the regular meeting of the City Council of the City of Soledad duly held on the 8th day of August, 1994, by the following vote:

AYES, and in favor thereof, Councilmembers: John Holguin, Ben Jimenez, Jr., Richard Ortiz, Mayor Pro Tem Fabian Barrera, Mayor Fred Ledesma.

NAYES, Councilmembers. None

ABSENT Councilmembers: None

Exhibit A
Annexation Boundary Map

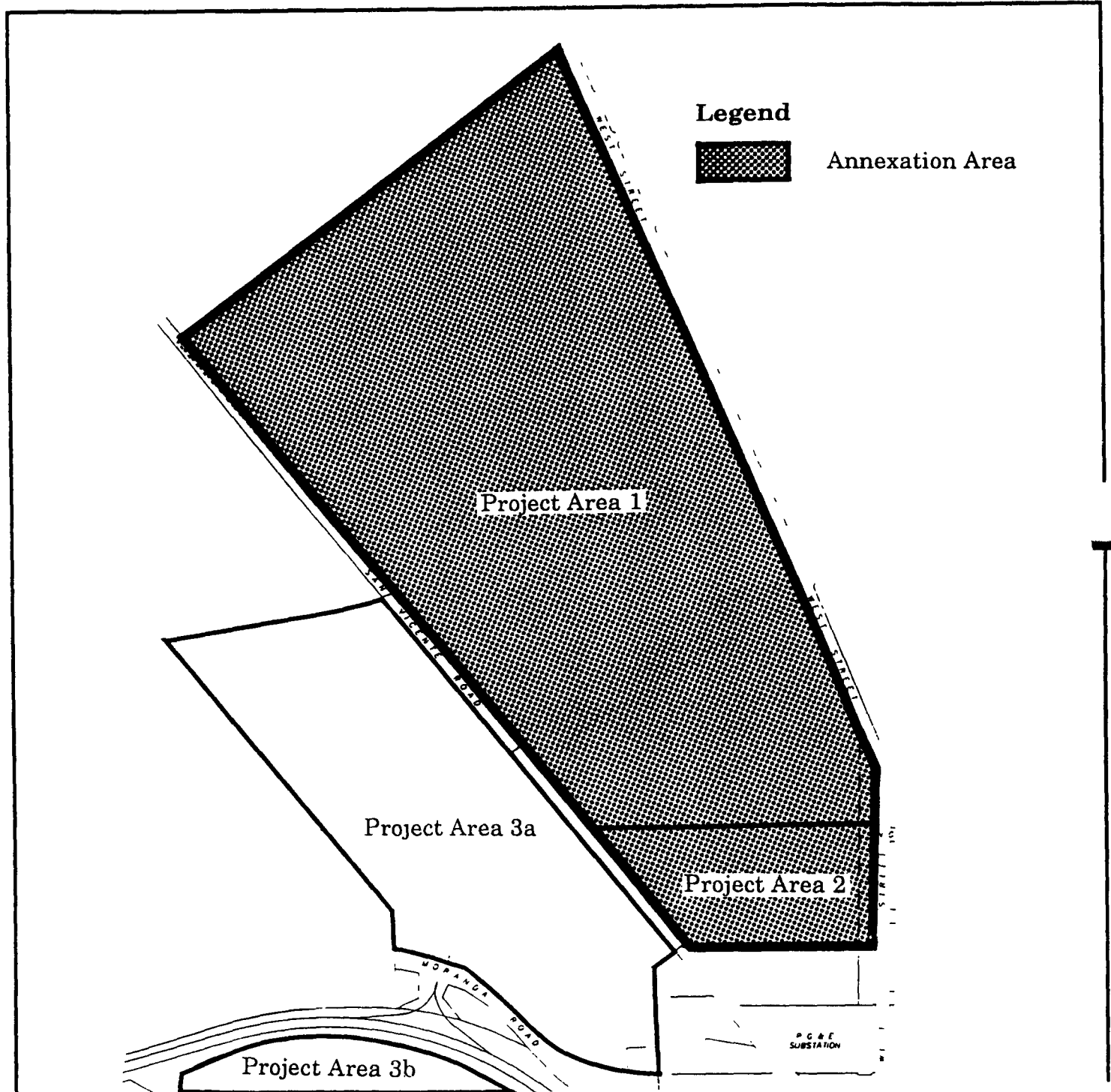


Exhibit B
Annexation Findings

Exhibit B

Annexation Findings

The City Council of the City of Soledad finds as follows

- 1 **Finding:** The Soledad Sphere-of-Influence Study was last amended by the Monterey County Local Agency Formation Commission in 1994 and defines the existing City of Soledad sphere-of-influence boundary
- 2 **Finding:** The entire project site is currently inside of the existing sphere-of-influence boundary
- 3 **Finding:** The proposed project is located within the Urban Service Area of the City of Soledad as designated by the Monterey County Local Agency Formation Commission in 1994. The Urban Service Area designation is to denote areas which can be developed in a phased or staged manner over the next five years as part of an incorporated city to ensure effective provision of public services. As discussed below, adequate public services are available or will be available to serve the proposed project.
- 4 **Finding:** Project Area 1 is located in an area designated as Residential (1-6 Units Per Acre), Convenience Commercial, and Public/Institutional/Recreational in the Soledad General Plan. This area is defined as lands that are suitable for residential development and such residential development will add to a stable urban boundary
- 5 **Finding:** Project Area 2 is located in an area designated as Residential (7-12 Units Per Acre), in the Soledad General Plan. This area is defined as lands that are suitable for residential development and such residential development will add to a stable urban boundary
- 6 **Finding:** The proposed project constitutes a logical extension of the existing urban area and, as conditioned, will be compatible with existing and future surrounding land uses

- 8 **Finding:** The proposed project will assist the City of Soledad in meeting their regional fair-share housing goals for the present planning period. The regional fair-share housing allocation established for the City of Soledad indicates that the City of Soledad needs to provide an additional 1,192 housing units during the planning period between January 1, 1989 and June 31, 1996. Taking into consideration the housing units constructed, under construction, or which could be constructed on vacant and underutilized land within the City of Soledad between January 1, 1989 and June 31, 1996 (766 housing units), there is still a need to provide an additional 426 housing units during this planning period to meet the established regional fair-share housing goals for the City of Soledad.
- 9 **Finding:** The proposed project may include a maximum of 231 multi-family residential units. The multi-family residential units will expand the number of affordable rental housing units for moderate-income renters as well as expand the number of affordable owner-occupied housing units for moderate-income buyers. There is a high demand for affordable rental and owner-occupied housing in the City of Soledad.
- 10 **Finding:** The proposed project will assist the City of Soledad in providing additional housing in order to accomplish a better jobs-to-housing ratio in the City of Soledad. Currently, most of the city's workforce does not reside within the City of Soledad. For example, the largest employer in the City of Soledad, the Soledad Correctional Training Facility, only employs approximately eight percent of the city residents (116 of 1,450 employees). Therefore, additional housing units are needed in order to accommodate more of the city's workforce.
- 11 **Finding.** The proposed project will assist the City of Soledad in providing more service oriented jobs in the City of Soledad thereby increasing the city's jobs-to-housing balance. Currently, the City of Soledad has the lowest per capita retail sales rate in the county. Therefore, the proposed project will fulfill a significant unmet need for generating retail sales tax revenue in the City of Soledad to provide better public services.
12. **Finding:** The proposed project will result in on- and off-site public service improvements that will provide adequate public services to the proposed project and future planned development in the area.

the proposed project. Finally, the existing agricultural well located on the project site has the potential to create health and safety impacts. Therefore, the proposed project will have a significant adverse environmental impact on the existing water system.

Mitigation measures have been included as conditions of approval which require the project proponent to coordinate with the City of Soledad Public Works Department to determine the appropriate additional facilities required to ensure proper water flows to these two project areas, provide an analysis and design of the proposed water distribution system and the improvements to the existing systems in accordance with the City of Soledad Design Criteria, coordinate with the City of Soledad to adopt a declaration of restrictions identifying the specific water-conservation methods to be incorporated into the proposed project, abandon the existing agricultural well in conformance with the California Department of Health Services Standards, and wait until city well numbers seven and nine are installed and operational prior to development of the project site. With the implementation of these mitigation measures, adequate water service will be provided for the proposed project.

Sewer Service. Development of Project Areas 1 and 2 will result in average sewage flows that exceed the current available capacity of the Soledad Wastewater Treatment Plant. Furthermore, even though it is established in the EIR that sewer line capacity will sufficiently accommodate the development of Project Areas 1 and 2, it appears that one or more "bottlenecks" in the transmission lines between the proposed project and the wastewater treatment plant may need to be eliminated due to flow projection in excess of said capacity. Finally, it is uncertain whether the capacity of the existing 15-inch sewer main located between Front Street and the wastewater treatment plant can meet the future demand associated with the development of the proposed project. Therefore, the proposed project may have a significant adverse environmental impact on sewer service.

Mitigation measures have been included in the conditions of approval which require the project proponent to analyze and design the proposed sewer system and the improvements to the existing system during the design phase to accurately address capacity and outfall of the system. Furthermore, in order to ensure that adequate sewage plant capacity is