



El Dorado County Department of Transportation

Hearing of the Resolution of Necessity for the Diamond Springs Parkway Phase 1B CIP No. 72334

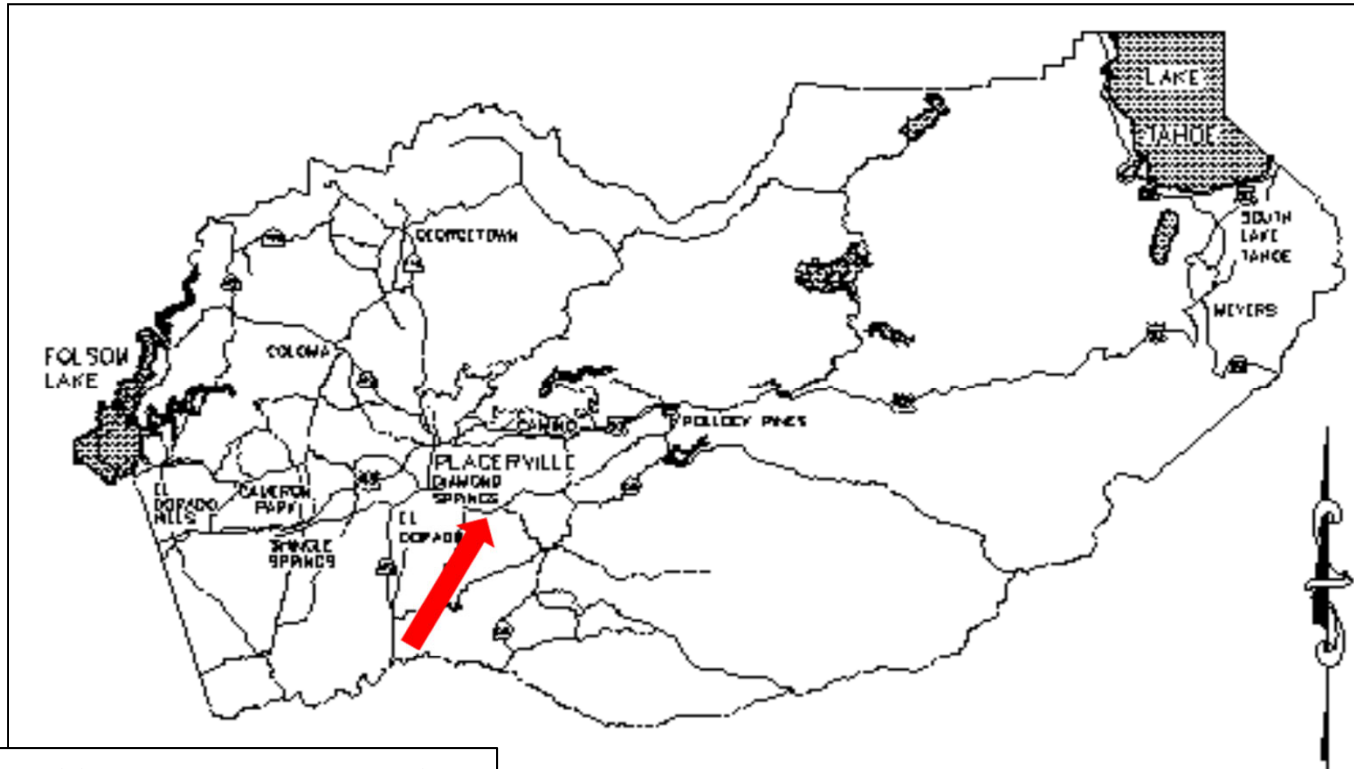
El Dorado County Board of Supervisors – January 26, 2021

Eminent Domain

Four Requirements for Eminent Domain Action (Condemnation):

1. The public interest and necessity require the proposed project.
2. The Project is planned or located in a manner that will be most compatible with the greatest public good and the least private injury.
3. The property sought to be acquired is necessary for the Project.
4. The offer required by section 7267.2 of the Government Code has been made to the owners of record.

Project Location



Located between Missouri Flat Road and State Route 49 in Diamond Springs

Project Overview

CEQA Compliance

- Missouri Flat/SR-49 Connector Concept Study in 1992
- Environmental Impact Report (EIR) adoption 2011
- Supplemental Environmental Impact Report (SEIR) adoption 2016

Proposed Project

- 2nd phase of a two-phase project that will construct a connector road between Missouri Flat Road and State Route 49
- Class II bike lanes, sidewalks and transit bus turnouts on both sides of the Parkway

Alternatives Considered

- The County considered six alternatives
- Alternative #4 was chosen to retain the existing SR-49 alignment, following property lines and resulting in less fragmentation of privately owned parcels

Project Need/Purpose

1. Provides a connector road between Missouri Flat Road and State Route 49 greatly reducing heavy traffic volumes through the historic town of Diamond Springs
2. Improves traffic safety and emergency vehicle operations
3. Improves pedestrian safety and creates multimodal transportation features such as Class II bike lanes, sidewalks and transit bus turnouts
4. Relieves traffic burden on businesses in Diamond Springs
5. Completes second phase of the two-phase project

Subject Parcel

The Project requires right of way acquisitions from a total of twenty-five parcels. The parcel listed below represents the subject parcel for the Resolution.

APN 051-250-011 (4000 State Route 49, Placerville, CA)

Parcel

- Owner: MDM Trust (Murillo)
- Size: Consists of 75,794 SF (1.74 acres)
- Zoned: IL - Industrial Light
- Current Use: Residential Rental/Business/Yard

Required Acquisitions

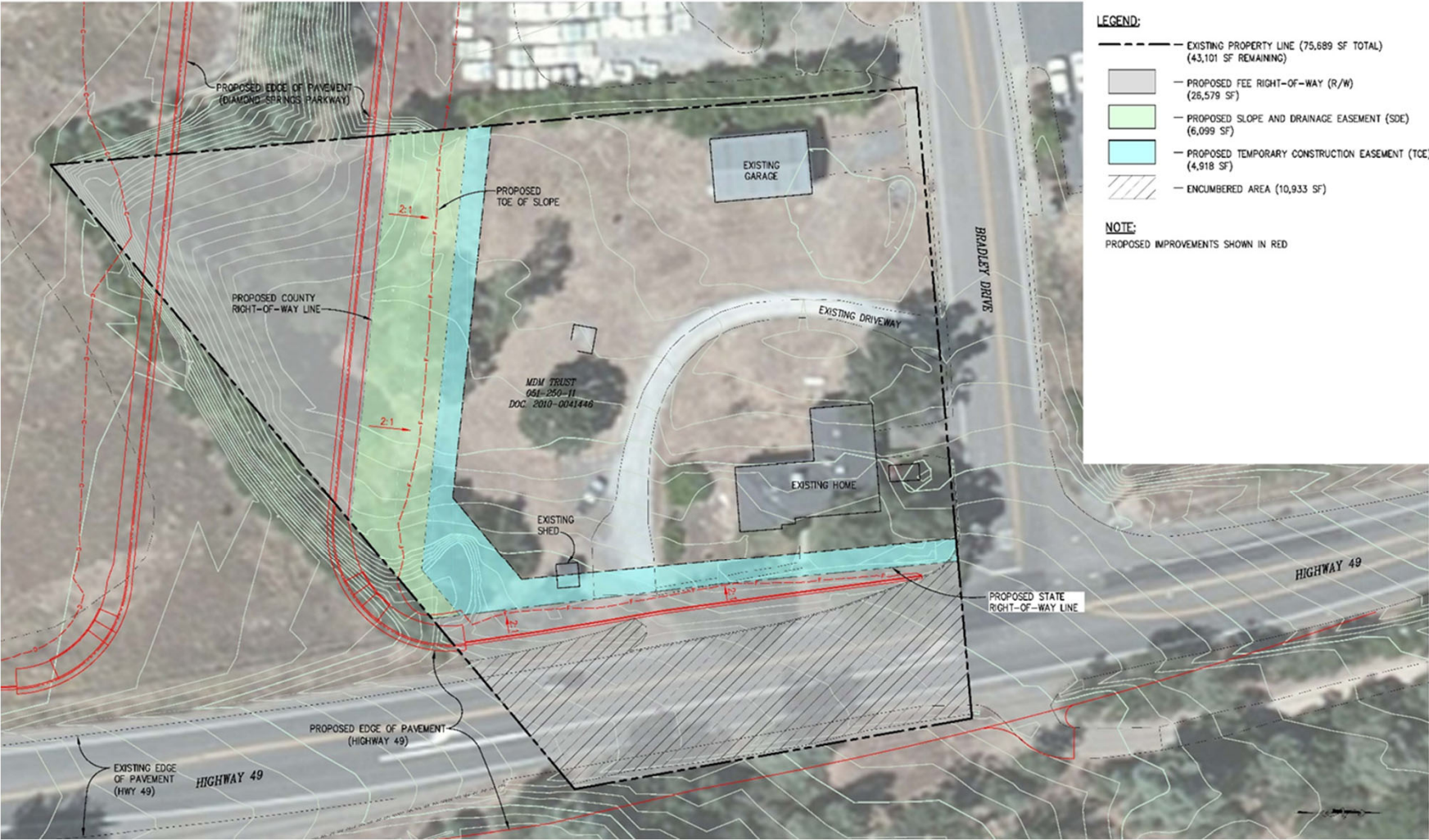
Required acquisitions and purposes from Subject Property:

- Fee Title
 - 26,579 Square Feet (SF) of Fee Title
 - Construction of the parkway/installation of permanent features i.e. roadway, retaining walls, sidewalks, curbs, gutters
- Slope and Drainage/Public Utility Easement
 - 6,099 SF of Slope and Drainage Easement
 - Construction of slopes, ditches, drainage systems, pipes, etc.
 - Installation and maintenance of public utilities i.e. water, power, sewer
- Temporary Construction Easement
 - 4,918 SF of Temporary Construction Easement
 - Maneuvering of construction equipment and workers, and completing property site improvements

Right of Way Exhibit



Aerial View



Government Code 7267.2 Offer and Negotiations with Owner

Offer/Negotiations

- Required acquisitions were appraised by Pattison and Associates Inc. and reviewed by Sierra West Valuation, Inc. (licensed appraisal firms).
- Offer was made/sent to owner of record August 19, 2020 for the full appraised value of the acquisition.
- County received counter-offer from owner on October 2, 2020.
- Board of Supervisors reviewed counter-offer at Closed Session meeting on October 20, 2020. No action was taken.

Owner Objections and County Responses

(Must be one of the four findings per Section 1245.230)

b) The Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.

- In 1997, Transportation presented six conceptual alignments for the Project to the Board for consideration. The Board selected Alternative #3, a sweeping alignment bisecting several properties that would consequently segment SR-49.
- Caltrans requested a modified alignment that did not segment SR-49 in an effort to avoid the process for a new Route Adoption and streamline state approval of the final project.
- **As a result, Transportation proposed the current Alternative #4, which retains the existing SR-49 alignment, following property lines and resulting in less fragmentation of parcels.**
- Caltrans indicated preference for this alignment and the Board amended the preferred alignment from Alternative #3 to Alternative #4 in April 2008.

Owner Objections and County Responses

(Must be one of the four findings per Section 1245.230)

c) The property described in the Resolution of Necessity is necessary for the proposed project.

Phase 1B connects to the SR-49 prior improvements already constructed in Phase 1A. The Caltrans-requested alignment is a “T” alignment chosen to lessen fragmentation of parcels and to keep the current alignment of SR-49. This parcel is a portion of that approved alignment and it is necessary and detrimental to remove the parcel from the approved alignment for the following reasons:

1. Significant cost of updating the EIR, engineering design and plans.
2. Caltrans already said “no.”
3. Turn pockets would be too close together.
4. Conflicts with DSP 1A project design and ROW.
5. Additional ROW acquisitions would be required from adjoining parcels.
6. IODs for the current alignment have already been accepted and recorded.
7. Significant construction cost changes to move onto adjoining property (elevations).

DOT Recommendation

- Staff recommends the Board adopt the Resolution of Necessity and findings contained herein for the Diamond Springs Parkway 1B Project, CIP No. 72334.

*Note that a 4/5 vote is required

- We will now take any questions or comments from the Board of Supervisors and then from the public.