

MEMORANDUM

March 6, 2025

TO: Nancy Arroyo, Real Property Agent I
Economic Development Department

FROM: Nicole D. Moore, LEED-AP, Contract Planner
Community Development Department

SUBJECT: **CEQA NOE 15-25-ABANDONMENT OF RIGHT-OF-WAY FOR PERSHING AVE.**

The Community Development Department received a request to review the above-referenced project for conformity with the Stockton General Plan and make an environmental determination pursuant to the California Environmental Quality Act (CEQA). The City of Stockton's Economic Development Department received a request from Waste Management/Stockton Scavenger Assn., to abandon right-of-way for Pershing Avenue, east of 1408 Navy Drive (APN 163-240-06). See Attachment A for more information.

In accordance with Government Code §65402, the Community Development Department determines the proposed property sale is neutral in regard to conformity with the Stockton General Plan. Future development of the subject parcels shall be under the jurisdiction of the City of Stockton.

Concerning the California Environmental Quality Act (CEQA) determination, the Community Development Department concludes the project is Categorically Exempt under CEQA Guidelines and is granted a 'general rule exemption' under Section 15061(B)(3) since there is no possibility that the activity in question would have significant effect on the environment and the activity is no subject to CEQA. The project is also not subject to any of the exceptions to the use of a Categorical Exemption listed at CEQA Guidelines §15300.2.

Upon approval by City Council, the Economic Development Department is advised to complete the attached Notice of Exemption (**Attachment B**) and file it with the San Joaquin County Clerk Office to initiate a 35-day statute of limitations on court challenges. Please retain a copy of the original posted notice within the project file in the Economic Development Department project file.

By: 

Nicole D. Moore, LEED-AP, Contract Planner

Attachments

Attachment A: Request and Project Location

Attachment B: Draft Notice of Exemption

MEMORANDUM

March 5, 2025

TO: Nicole Moore, Contract Planner
Community Development Department

FROM: Nancy Arroyo, Real Property Agent I
Economic Development Department

SUBJECT: **ABANDONMENT OF RIGHT-OF-WAY FOR PERSHING AVE.**

Please provide the appropriate environmental review for the above-referenced project as described below:

Project Title: Abandonment of Right-of-Way for Pershing Ave.

Applicant: Waste Management/ Stockton Scavenger Assn.

Description/Location: Abandonment of Right-of-Way for Pershing Ave. – east of 1408 Navy Drive (APN: 163-240-06)

Also, please make the required determination to conformity to the General Plan in accordance with Section 65402 of the Government Code. If you have questions regarding this request, please contact me at extension 8506.



NANCY ARROYO, REAL PROPERTY AGENT I
ECONOMIC DEVELOPMENT DEPARTMENT

Attachment



EXHIBIT "A"
VACATION OF RIGHT-OF-WAY FOR
PERSHING AVENUE

All that certain real property situate in the City of Stockton, County of San Joaquin, State of California, being a portion of Pershing Avenue as shown on that certain map titled Pioneer Homes Unit No. 2 filed for record in the office of the San Joaquin County Recorder in Volume 11 of Official Maps and Plats Page 73 and being all of the Easement Deed for Public Right of Way as described in Document Number 2019-009752, San Joaquin County Records and being all of the Easement Deed for Public Right of Way as described in Document Number 2019-009753, San Joaquin County Records and being more particularly described as follows:

COMMENCING at the Northwest corner of Lot 22 as shown on said map; thence along the North line of Lots 22-27 as shown on said map, South 89°34'57" East, 342.33 feet to the **POINT OF BEGINNING** being the beginning of a tangent curve to the right having a radius of 30.00 feet, having a chord that bears South 44° 35' 49" East a distance of 42.42 feet; thence along said curve concave to the Southwest through a central angle of 89° 58'16" an arc distance of 47.11 feet to a point on the West right-of-way line of said Pershing Avenue; thence along said West right-of-way South 00°23'19" West, a distance of 93.76 feet to the Northerly corner of said Document Number 2019-009752 being the beginning of tangent curve to the right having a radius of 50.00 feet, said curve also having a chord that bears South 28° 49' 48" West, 47.63 feet; thence along said curve concave to the Northwest through a central angle of 56° 52' 59" an arc distance of 49.64 feet to the Westerly corner of said Document Number 2019-009752, coincident with the Northerly corner of said Document Number 2019-009753 and being a point of reverse curvature having a radius of 47.00 feet, said curve also having a chord that bears South 14°20'33" East, 89.20 feet; thence along said curve concave to the East through a central angle of 143°13'42" an arc distance of 117.49 feet to the Southerly corner of said Document Number 2019-009753 being the Northwest corner of that portion of Pershing Avenue vacated as shown on that certain document "Resolution No.2018-05-15-1110" recorded as Document Number 2019-007346 San Joaquin County Records, and being the continuance of last said curve having a radius of 47.00 feet, said curve also having a chord that bears North 47° 13' 06" East, 68.55 feet; thence along said curve concave to the Northeast through a central angle of 93° 39' 00" an arc distance of 76.82 feet to a point on the East right-of-way line of said Pershing Avenue being the Northeast corner of said as Document Number 2019-007346, San Joaquin County Records; thence along the East right-of-way line of said Pershing Avenue, North 00°23'19 East, 202.94 feet a point on the "City Limit" line as shown on said Map; thence along said "City Limit" line, North 11°42'44" West, 2.07 feet to a point on the Easterly prolongation of the North line of said Lots 22-27; thence along said Easterly prolongation, North 89°34'57" West, 79.55 feet to the **POINT OF BEGINNING**.

END OF DESCRIPTION

Containing 15,675 Square Feet, more or less

The above-described Vacation of Right-of-Way is shown on EXHIBIT "B" attached hereto and by this reference made a part hereof.

This real property description was prepared by me or under my direction in conformance with the Professional Land Surveyors Act.

Brett Chappell
 Brett J. Chappell, PLS 7547

3.20.2025
 Date

Address: 147 N First Avenue, Oakdale, CA 95361 • Phone: 209 845 9694
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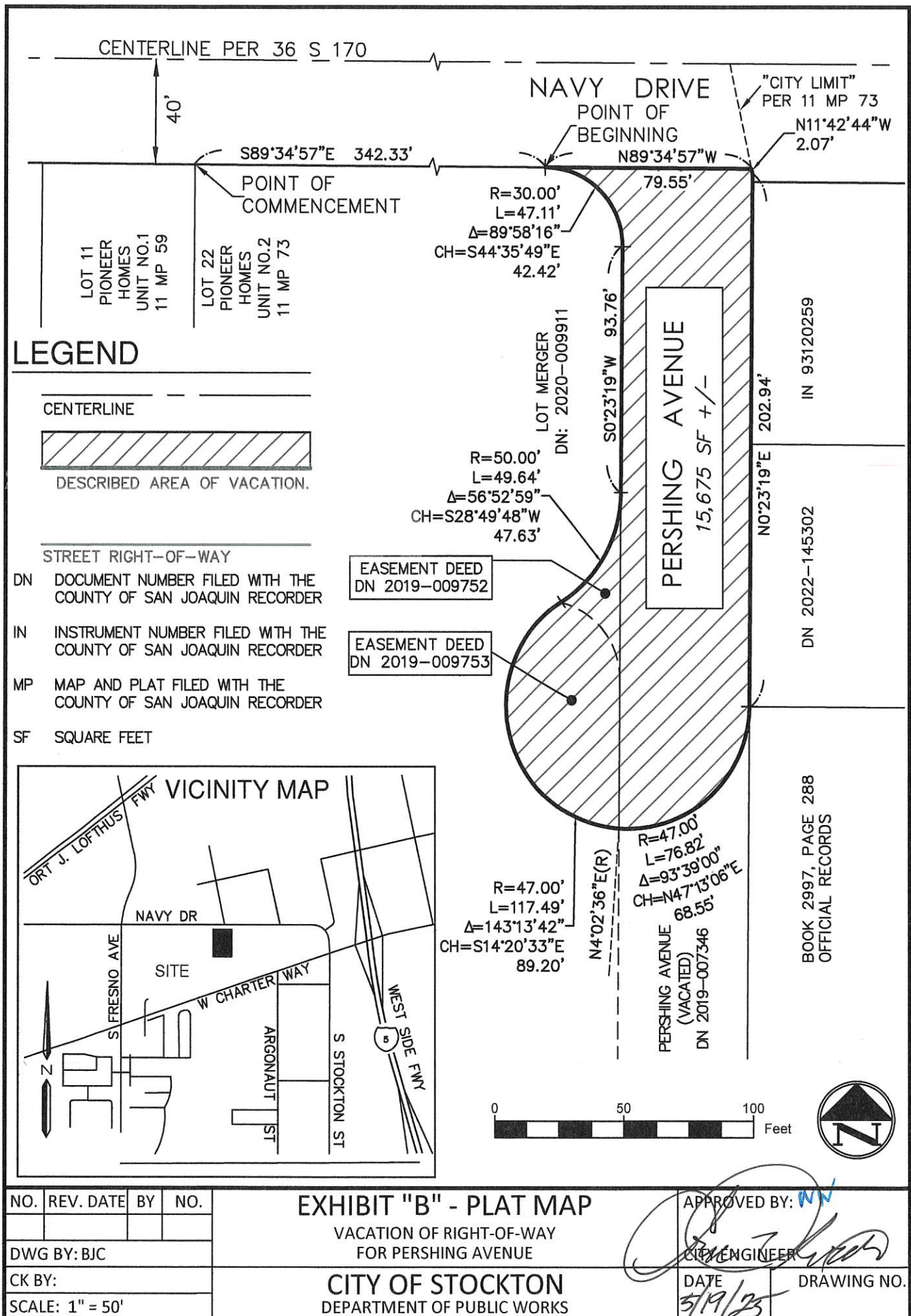




EXHIBIT "A"
RESERVATION OF PUBLIC UTILITY EASEMENT FOR
PERSHING AVENUE

All that certain real property situate in the City of Stockton, County of San Joaquin, State of California, being a portion of Pershing Avenue as shown on that certain map titled Pioneer Homes Unit No. 2 filed for record in the office of the San Joaquin County Recorder in Volume 11 of Official Maps and Plats Page 73 San Joaquin County Records and being more particularly described as follows:

COMMENCING at the Northwest corner of Lot 22 as shown on said map; thence along the North line of Lots 22-27 as shown on said map, South $89^{\circ}34'57''$ East, 342.33 feet to the **POINT OF BEGINNING** being the beginning of a tangent curve to the right having a radius of 30.00 feet, having a chord that bears South $44^{\circ}35'49''$ East a distance of 42.42 feet; thence along said curve concave to the Southwest through a central angle of $89^{\circ}58'16''$ an arc distance of 47.11 feet to a point on the West right-of-way line of said Pershing Avenue; thence along said West right-of-way South $00^{\circ}23'19''$ West, a distance of 221.91 feet to the Northwest corner of that portion of Pershing Avenue vacated as shown on that certain document "Resolution No.2018-05-15-1110" recorded as Document Number 2019-007346 San Joaquin County Records, and being beginning of a non-tangent curve having a radius of 47.00 feet, said curve also having a chord that bears North $47^{\circ}13'06''$ East, 68.55 feet; thence along said curve concave to the Northwest through a central angle of $93^{\circ}39'00''$ an arc distance of 76.82 feet to a point on the East right-of-way line of said Pershing Avenue being the Northeast corner of said as Document Number 2019-007346, San Joaquin County Records; thence along the East right-of-way line of said Pershing Avenue, North $00^{\circ}23'19''$ East, 202.94 feet a point on the "City Limit" line as shown on said Map; thence along said "City Limit" line, North $11^{\circ}42'44''$ West, 2.07 feet to a point on the Easterly prolongation of the North line of said Lots 22-27; thence along said Easterly prolongation, North $89^{\circ}34'57''$ West, 79.55 feet to the **POINT OF BEGINNING**.

END OF DESCRIPTION

Containing 12,316 Square Feet, more or less

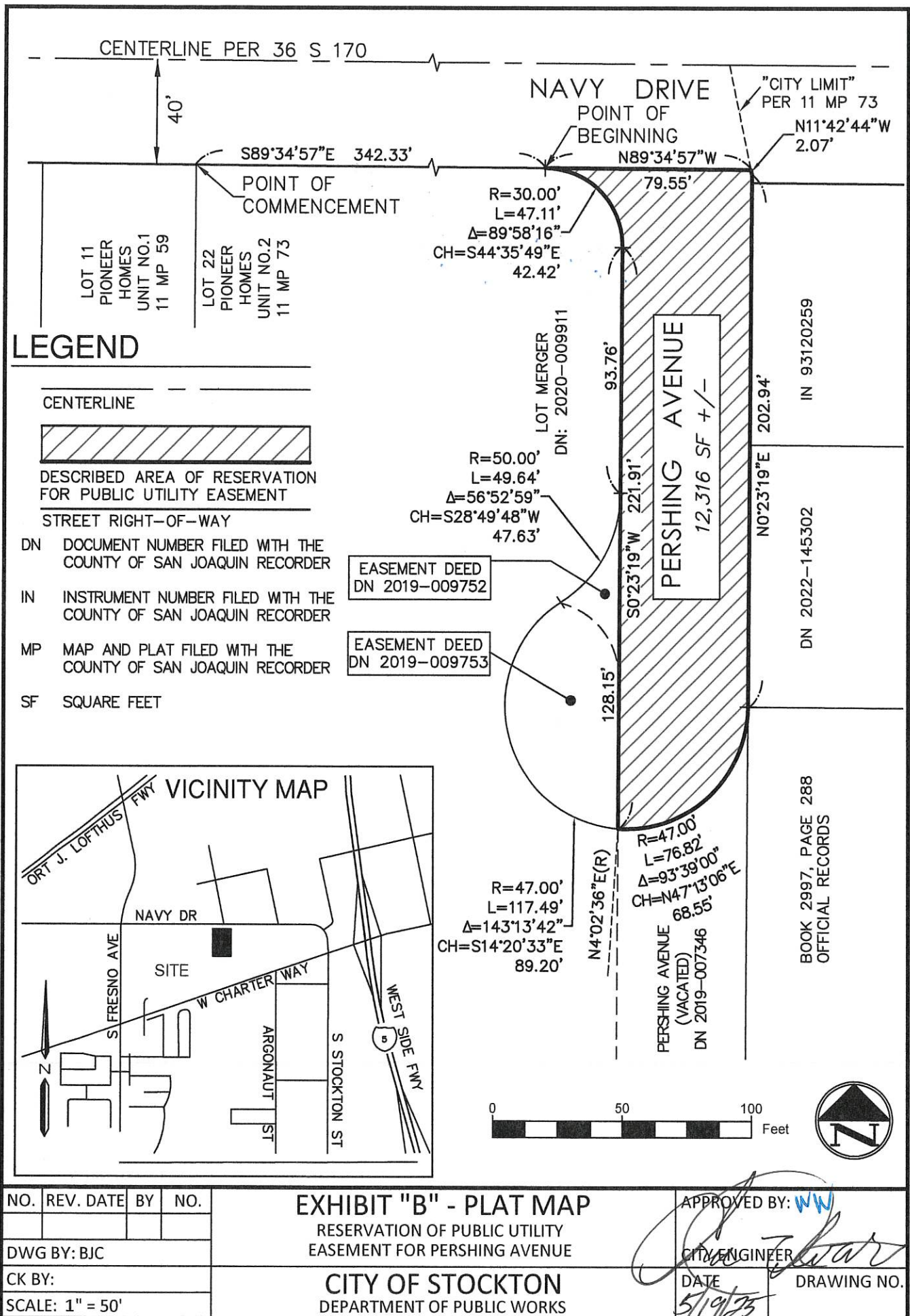
The above-described Reservation of Public Utility Easement is shown on EXHIBIT "B" attached hereto and by this reference made a part hereof.

This real property description was prepared by me or under my direction in conformance with the Professional Land Surveyors Act.


Brett J. Chappell, FLS 7547

3.20.2025
Date





**CITY OF STOCKTON
NOTICE OF EXEMPTION**

TO: COUNTY CLERK
COUNTY OF SAN JOAQUIN
44 N. San Joaquin St., Ste. 260
Stockton, CA 95202

FROM: Lead Agency
City of Stockton
c/o Economic Development Dept.
400 E. Main St., 4th Floor
Stockton, CA 95202

NOTICE OF EXEMPTION PURSUANT TO PUBLIC RESOURCES CODE SECTION 21152(B) AND CALIFORNIA CODE OF REGULATIONS TITLE 14, SECTION 15062

PROJECT DATA

Project Title: Abandonment of Right-of-Way for Pershing Avenue

CEQA Exemption File No.: NOE 15-25

Applicant: Waste Management / Stockton Scavenger Assn.

Project Description/Location: The City of Stockton's Economic Development Department received a request from Waste Management/Stockton Scavenger Assn., to abandon right-of-way for Pershing Avenue, east of 1408 Navy Drive (APN 163-240-06). See Attachment A for more information.

DETERMINATION/FINDING OF EXEMPTION

The above-described activity/project is exempt from the environmental assessment requirements of the California Environmental Quality Act (CEQA) pursuant to the following section(s) of the State CEQA Guidelines (California Code of Regulations, Title 14):

- ☐ The activity is not a "project" as defined in CEQA Guidelines Section 15378.
☒ The activity is exempt under the "general rule" at CEQA Guidelines Section 15061(B)(3).
☐ The project is "Statutorily Exempt" per CEQA Guidelines Section: _____
☐ The project is "Categorically Exempt" per CEQA Guidelines Section 15301(c).

BASIS FOR FINDING OF EXEMPTION

- ☐ The activity does not qualify as a project and/or clearly could not have a significant effect on the environment and, therefore, CEQA does not apply.
☒ The activity constitutes a discretionary project under the City's jurisdiction and qualifies as a project which has been determined not to have a significant effect on the environment and, therefore, is exempt from the provisions of CEQA under the above-noted statutory or categorical exemption(s).

TINA MCCARTY, DIRECTOR
ECONOMIC DEVELOPMENT DEPARTMENT

March 6, 2025
(DATE OF PREPARATION)

By _____
Nancy Arroyo, Real Property Agent I (DATE OF FINAL APPROVAL)

AFFIDAVIT OF FILING AND POSTING

I declare that on the date stamped above, I received and posted this notice or included it on a list of such notices which was posted as required by California Public Resources Code Section 21152(B). Said notice or list of notices will remain posted for 35 days from the filing date.

Signature

Title

Posting Period Ending Date