



DATE: May 3, 2022

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: Adopt a Resolution to Vacate a Public Utilities Easement at 603 A Street

RECOMMENDATION

That the Council adopt a resolution (Attachment II) to vacate an existing Public Utilities Easement (PUE) at 603 A Street.

SUMMARY

The City acquired a PUE near the northwest corner of 603 A Street in Hayward in 1993 and has since moved all facilities out of the PUE. The City no longer has need for the easement and the property owner at 603 A Street has requested the City vacate the PUE to increase the development potential of the lot.

BACKGROUND

The PUE was granted to the City of Hayward in 1993. Instrument No. 93-209864 was recorded June 14, 1993 to support the "A" Street Lighting Isolation Project, included as Attachment III and depicted on the Site Plan in Attachment IV. Subsequent improvements at the intersection including modifications to the traffic signal removed all facilities from the PUE and the City no longer has a need for the easement.

The Council adopted Resolution No. 22-077 (Attachment V) at its regularly scheduled meeting on April 5, 2022 setting the date and time for tonight's meeting as a public hearing for all persons interested in or objecting to the proposed vacation and to consider vacating the PUE.

DISCUSSION

The proposed vacation conforms to the general guidelines of the General Plan, which calls for improving the local economy, increasing the tax base, and generating public revenue. The proposed vacation will make the area of the PUE, approximately 130 square feet near the intersection of A Street and Grand Street, available for development by the property owner at 603 A Street. The property owner at 603 A Street has requested the vacation to accommodate a future planned development that encroaches into the PUE.

The vacation of a PUE is governed by California Streets and Highways Code Section 8300 et seq., which allows for a vacation of a PUE if the easement has been superseded by relocation and there are no other public facilities located within the easement. The notice of public hearing was published and posted on site as per the requirements of California Streets and Highways Code Section 8320, et seq. In addition, the City has sent notices to potentially affected public utilities advising of the intention to vacate the PUE.

The proposed PUE vacation is categorially exempt from environmental review pursuant to Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, Class 5 minor alterations in land use limitations.

ECONOMIC AND FISCAL IMPACT

Vacation of the PUE, by itself, will not have a fiscal or economic impact. The additional development potential created by the vacated PUE may improve commerce, provide needed housing, and employ construction workers. Property tax revenues received by the City and several other local agencies will incrementally increase if a development at 603 A Street is constructed and occupied.

STRATEGIC ROADMAP

Approval of the PUE vacation supports the Preserve, Protect, & Produce Housing priority in the City's Strategic Roadmap, by increasing the development potential of 603 A Street and providing a mix of housing stock for all Hayward residents and community members, including the expansion of affordable housing opportunities and resources.

NEXT STEPS

The effective date of vacation will be when the Council adopted resolution vacating the PUE is filed with the Alameda County Recorder.

Prepared by: Scott Wikstrom, Development Services Engineer

Recommended by: Alex Ameri, Director of Public Works

Approved by:



Kelly McAdoo, City Manager