



DATE: February 19, 2019

TO: Mayor and City Council

FROM: Interim Director of Public Works

SUBJECT: Vacation of 26010 Production Avenue: Public Hearing and Resolution Approving Excess Right-of-way Vacation and Authorizing Quit Claim Deed

RECOMMENDATION

That the City Council adopts the Resolution (Attachment II) vacating a portion of right-of-way at 26010 Production Avenue, reserving easements for public utilities and the City's sewer and water mains and public service facilities.

SUMMARY

The City Council received a staff report at its regularly scheduled meeting on January 29, 2019 stating that a portion of the existing street right-of-way at 26010 Production Avenue, is not needed for public street purposes. The Council adopted Resolution No. 19-019 setting a public hearing at tonight's meeting to consider vacating the said right-of-way. 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. The fronting property owner has requested the City to vacate the portion of the street right-of-way not needed for street purposes to allow landscape improvements and other permitted uses not conflicting with existing public utilities in the area. The request submitted by the property owner conforms to the City's General Plan and its mobility and complete streets guidelines.

BACKGROUND

Wider than normal public street right-of-way at the corner of Production Avenue and Eden Landing Road was initially dedicated on the map of Tract 2898, Eden Landing Industrial Park, on June 30, 1967 with the intent of creating an attractive City maintained landscaped entry to the area. The area was landscaped and developed as a public place and streetscape. Later, the City stopped maintaining the landscaping during the drought years. The area behind the street curb is currently bare ground. The fronting property owner has offered to maintain the area as a landscaped buffer if the street right-of-way is vacated. Attachment III shows the right-of-way vacation area.

The vacated right-of-way will reserve easements for public utilities, the City's sewer and water mains, and other public service facilities to allow continued use by existing or future facilities. Production Avenue right-of-way requested for vacation is approximately 5,360 square feet and is described in Exhibits A and shown in Exhibit B to this report.

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. Production Avenue will continue to serve as a public street with access from fronting properties. The proposed vacation will make available a portion of currently unused street right-of-way for use by the adjoining landowner, eliminate the need for the City to clean and maintain it, and return the area to the property tax roll.

ECONOMIC IMPACT

The proposed right-of-way vacation and its taxable use by the fronting property owner would have some positive economic impact.

FISCAL IMPACT

The property owner has deposited funds with the City to compensate the City for its costs related to the right-of-way vacation.

STRATEGIC INITIATIVES

The requested action supports the Complete Communities Strategic Initiative. The purpose of the Complete Communities initiative is to create and support structures, services, and amenities to provide inclusive and equitable access with the goal of becoming a thriving and promising place to live, work, and play for all. The requested street right-of-way vacation will maintain the public street use and un-encumber the land not needed for such use for business purposes.

SUSTAINABILITY FEATURES

The action taken as per this report will allow better land use along Production Avenue and reduce public resources for the needed clean-up and maintenance.

PUBLIC CONTACT

Notice of Public Hearing complying with the requirements of California Streets and Highways Code Section 8320, et seq., were published in the Daily Review, a newspaper of general circulation in Hayward and posted on-site.

NEXT STEPS

The effective date of vacation will be when the City Council adopted Resolution Vacating Right-of-way is filed with the Alameda County Recorder.

Prepared by: Mo Sharma, Associate Civil Engineer
Dan S. Scott III, City Surveyor

Recommended by: Alex Ameri, Interim Director of Public Works

Approved by:

A handwritten signature in black ink, appearing to read 'K. McAdoo', written in a cursive style.

Kelly McAdoo, City Manager