



DATE: January 29, 2019

TO: Mayor and City Council

FROM: Interim Director of Public Works

SUBJECT: Resolution Declaring Intention to Vacate Excess Right-of-Way Easement Fronting on 26010 Production Avenue and Setting the Date and Time of the Public Hearing

RECOMMENDATION

That the City Council adopts the Resolution of Intent (Attachment II) to vacate a portion of right-of-way at 26010 Production Avenue, reserving easements for public utilities and the City's public service facilities, and scheduling a public hearing on February 19, 2019

SUMMARY

A portion of the existing street right-of-way, behind the existing street curb, is not needed for public street purposes. 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 adopted General Plan and its mobility and complete streets guidelines.

BACKGROUND

The street right-of-way located at the corner of Production Avenue and Eden Landing Road was initially created for 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. The area behind the street curb, is currently unimproved. The fronting property owner has offered to maintain the area as a landscaped buffer, if the street right-of-way is vacated. The referenced area also shown in Attachment III.

The proposed street right-of-way vacation will reserve easements for public utilities, the City's sewer and water mains, and their appurtenances to allow continued use by such existing or additional public service facilities. The street right-of-way requested for vacation is approximately 5,360 square feet and is described in Exhibits A and shown in Exhibit B (Attachment IV) 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 the 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 street vacation and its taxable use by fronting property owner would have some positive economic impact.

FISCAL IMPACT

The property owner has deposited funds with the City to compensate for City's costs related to the street right-of-way vacation. The deposited funds will be used to cover any expenses related to the street right-of-way vacation; this action should have no fiscal impact on the City's General Fund.

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 8300 will be published and posted on-site. The public hearing will be on the date and time specified in the City Council approved Resolution of Intent (tentatively February 19, 2019).

NEXT STEPS

The effective date of vacation will be when the Resolution of Vacation adopted by Council is filed for recordation with the Alameda County Recorder.

Prepared by: Mo Sharma, Associate Civil Engineer
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Recommended by: Alex Ameri, Interim Director of Public Works

Approved by:



Kelly McAdoo, City Manager