



DATE: May 22, 2018

CATEGORY: Consent

DEPT.: Public Works

TITLE: **Notice of Intention to Vacate Public Easements at 535 and 555 Walker Drive, 619 and 629 Alamo Court, and 640 Taylor Court**

RECOMMENDATION

Adopt a Resolution of Intention to Vacate Public easements at 535 and 555 Walker Drive, 619 and 629 Alamo Court, and 640 Taylor Court, to be read in title only, further reading waived (Attachment 1 to the Council report), and set a date for a public hearing to consider the vacation for June 12, 2018.

BACKGROUND

On June 12, 2018, the City Council will consider a Planned Unit Development, Development Review Permit, and Vesting Tentative Map for a 58-unit rowhouse development to replace 56 existing apartment units and a Heritage Tree Removal Permit to remove 16 Heritage trees on a 2.15-acre site. The developer, SummerHill Homes, has requested the City to vacate portions of the Public Utility and Wire Clearance Easements to accommodate the proposed buildings. The easements were dedicated in 1958 as part of Tract No. 1670. The existing overhead electric and related utilities within the easements would be removed for the project, which will be served by new underground services within a new Public Utility Easement along Alamo Court. The Public Utility Easement and Wire Clearance Easement along the southern property line will remain. The project boundary, the existing easements to be vacated, and the existing easements to remain are shown on Figure 1.

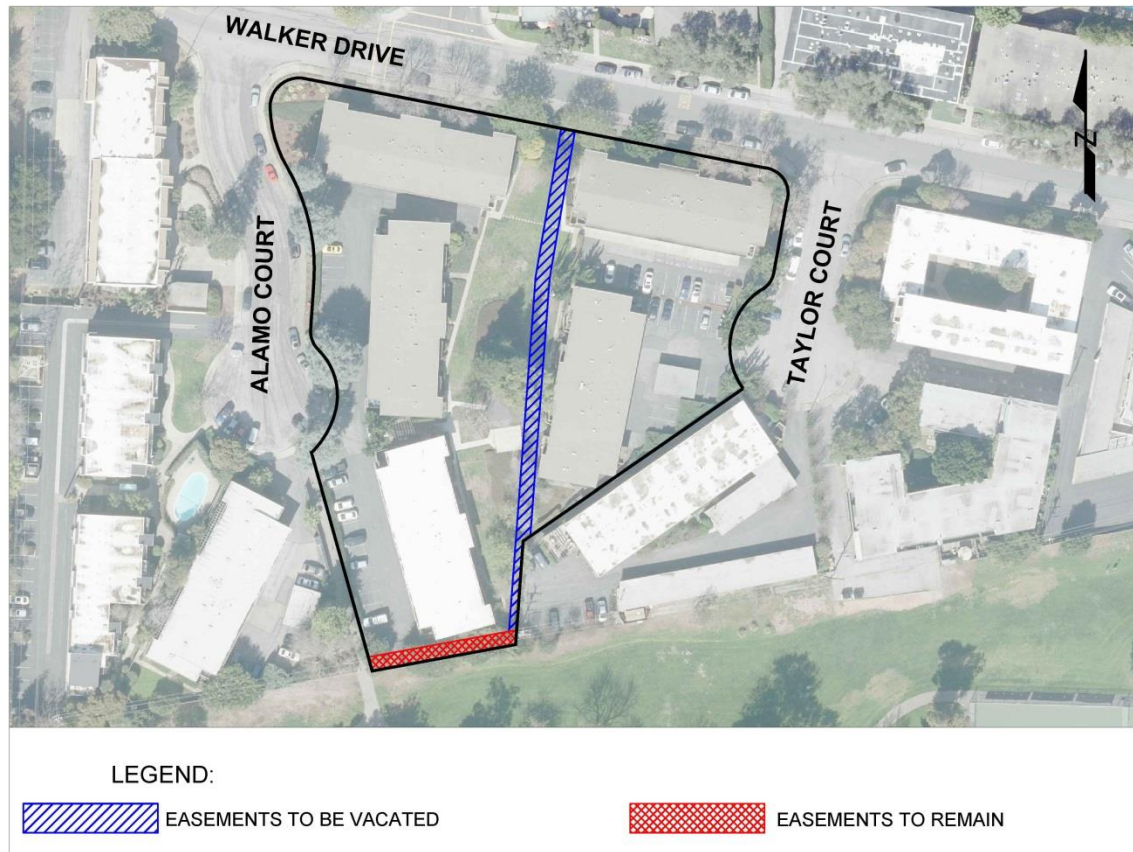


Figure 1 – Project Boundary, Easements to Be Vacated, Easements to Remain

ANALYSIS

Pursuant to Section 8320(b)(2) of the Streets and Highways Code, to allow for the possibility of Council approving the easement vacation on June 12, 2018, Council must adopt a Resolution of Intention to vacate the public easements and set a date for the public hearing to consider the vacation. The recommended actions accomplish this requirement but do not obligate Council to approve the vacation or the proposed development. Council still has full latitude to consider the proposed development and vacation on June 12, 2018.

Staff recommends vacating the easements without compensation for two reasons. First, the easements were dedicated as a condition of approval of the Tract Map creating the existing lots and were not purchased by the City. Secondly, the easements were intended as a general benefit to all public utility providers and were not granted to the City for the City's exclusive use. If these easements had been acquired by the City after

paying market value (rather than being dedicated at no cost), and/or if the easements were exclusively for the benefit of the City, staff would have recommended compensation for relinquishing the easements.

FISCAL IMPACT

There is no fiscal impact associated with setting the hearing date. The developer has paid the necessary fees to the City to process this request.

ALTERNATIVES

1. Determine not to move forward with the easement vacation proceedings.
2. Designate an alternate date for the public hearing to consider adoption of a resolution to vacate, with that date being not less than fifteen (15) days from the date of this Council meeting.

PUBLIC NOTICING

Agenda posting. In accordance with Sections 8322 and 8323 of the Streets and Highways Code, notices of the Resolution of Intention will be posted along the public utility and wire easement and the adjacent public streets easement to be vacated and published in the newspaper.

Prepared by:

Renee Gunn
Associate Civil Engineer

Approved by:

Michael A. Fuller
Public Works Director

Audrey Seymour Ramberg
Assistant City Manager

RG/TS/2/CAM/926-05-22-18CR-E

Attachment: 1. Resolution

cc: SummerHill Homes
777 South California Avenue
Palo Alto, CA 94304

ZA(A), APWD–Solomon, PCE–Arango, File (555 Walker Drive), SC/T,
cmvgis@mountainview.gov