



# COUNCIL REPORT

**DATE:** August 30, 2022

**CATEGORY:** Consent

**DEPT.:** Public Works

**TITLE:** **Notice of Intention to Vacate Public Easements at 870 East El Camino Real**

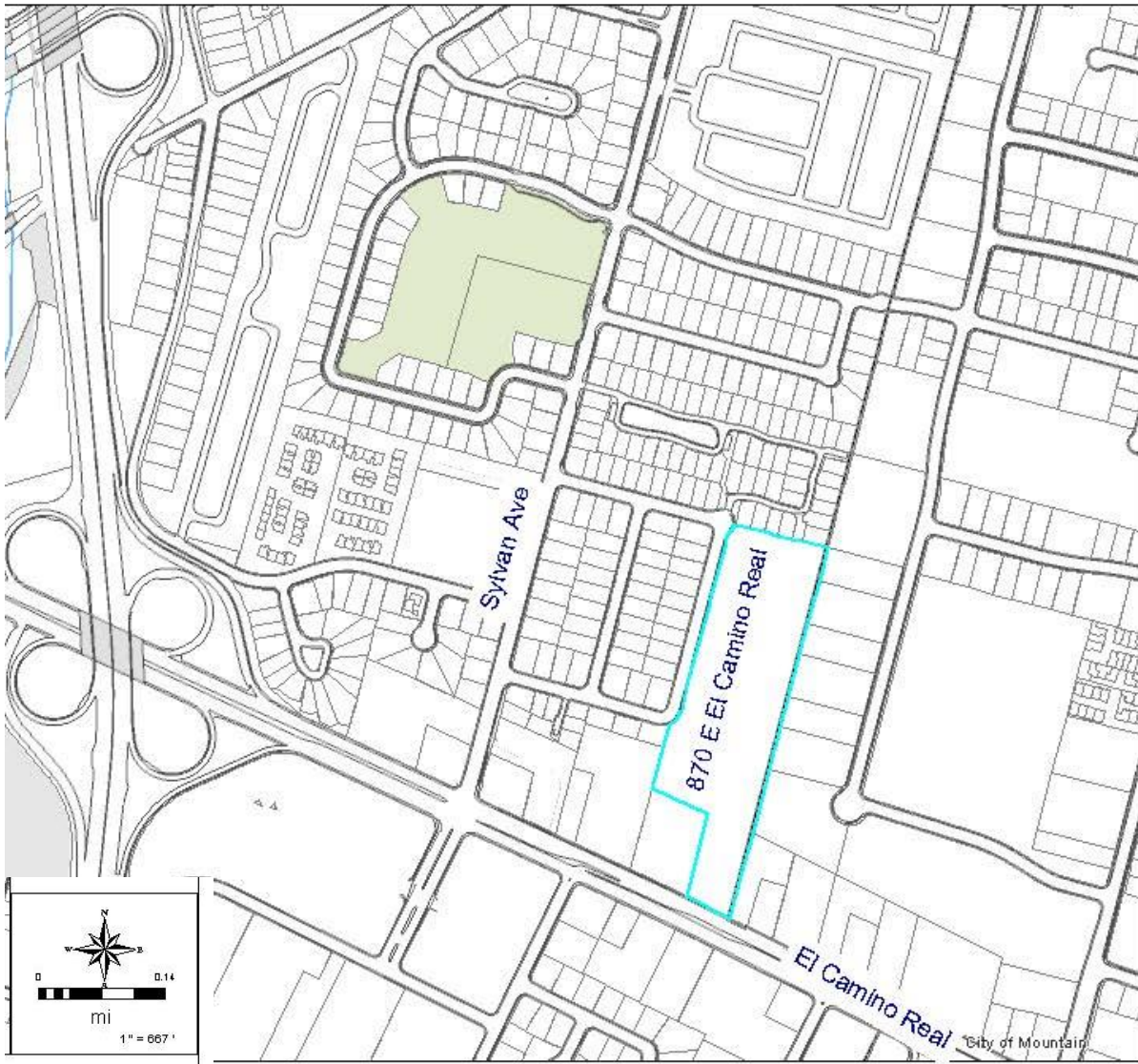
## **RECOMMENDATION**

Adopt a Resolution of Intention of the City Council of the City of Mountain View to Vacate Public Easements at 870 East El Camino Real, 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 September 27, 2022.

## **BACKGROUND**

On June 28, 2022, the City Council adopted a Resolution of Intention to vacate public easements at 870 East El Camino Real and set September 13, 2022 as a public hearing date to consider the vacation. The public hearing scheduled for September 13, 2022 for Council to consider the vacation has been rescheduled to September 27, 2022. It is necessary for Council to adopt a new resolution indicating an intention to vacate the public easement and setting September 27, 2022 as the new public hearing date.

On September 27, 2022, the City Council will consider a Planned Community Permit and Development Review Permit to construct two 6-story buildings of 233 apartment units and one level of underground parking, using a State Density Bonus with development waivers, to replace three apartment buildings with 42 existing units and construct site and facade improvements to existing apartment buildings which will remain (see Figure 1). Between the new units and units to remain, there would be a total of 371 units on-site. Council will also consider a Provisional Use Permit to allow rooftop amenities above the third floor and a Heritage Tree Removal Permit to remove 14 Heritage trees on the 9.15-acre project site.



**Figure 1: Location Map**

The applicant has requested that the City vacate the existing wire clearance easements (WCE) to accommodate the project (see Figure 2). The existing utilities within the easements are proposed to be relocated, and the existing easement would no longer be needed.



**Figure 2: Easement Locations**

**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 September 27, 2022, 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. They do not obligate Council to approve the vacation or the proposed development. Council will continue to have full latitude to consider the proposed development and easement vacations at its September 27, 2022 meeting.

**FISCAL IMPACT**

There is no fiscal impact associated with the setting of the hearing date. The applicant has paid the necessary fees to the City to process the 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 of Intention to vacate, with that date being not less than 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, if adopted, will be posted along the easements to be vacated and published in the newspaper.

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923-08-30-22CR  
202208

Attachment: 1. Resolution

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