



**Appeal of General Plan Conformity Finding
Alley Vacation at 520 West Willow Street
Application No. 1401-22**

City Council

February 14, 2017

Vicinity Map



- Request to vacate a 117.60 foot portion of a public alley.
- The alley and the adjacent parking lot is located in a Park (P) zoning district.
- Properties abutting the alley to the north are developed with an office zoned Community Automobile-Oriented Commercial.

General Plan Conformity Findings Required

- Pursuant to California Government Code Section 65402, no street, parcel or alley may be vacated until such action has been submitted to, and reported upon by the Planning Commission as to its conformity with the adopted General Plan.
- A finding of conformity shall be made that the abandonment and proposed re-use of the property conforms to the maps and policies of the General Plan – specifically the Land Use Element and the Mobility Element.

Planning Commission Actions

December 1, 2016 Planning Commission Public Hearing

- Staff found the site to be in conformance with the adopted goals and policies of the General Plan.
- After public testimony and deliberation, the Planning Commission found the abandonment not to be in conformance and requested that staff bring back findings of non-conformance.

January 5, 2017 Planning Commission Public Hearing

- After reviewing the findings of non-conformity and deliberating, the Planning Commission voted 5-1 to approve the findings of non-conformity, which effectively denied the alley abandonment request.

Alley configuration – Entire Block



Appeal

On January 13, 2017, the applicant and property owner, Yanki Greenspan and Geovany Mendoza, appealed the Planning Commission decision within the 10-day appeal period.

- The appellants contend that the Planning Commission improperly characterized the subject property as having the same conditions as surrounding properties, and;
- The applicants stated that they felt the Planning Commission did not recognize the life and safety issues that exist for pedestrians walking from the parking lot, crossing the alley, and entering the business.

Alley configuration – Vicinity



Recommendation

- Planning Commission Recommendation:

Find the proposed vacation of 117.62 feet of an east/west alley located behind 520 West Willow Street not in conformance with the adopted goals and policies of the General Plan and uphold the Planning Commission's determination of non-conformance;

- Alternative Staff Recommendation

Find the proposed vacation of 117.62 feet of an east/west alley located behind 520 West Willow Street in conformance with the adopted goals and policies of the City's General Plan and overturn the Planning Commission's determination of nonconformance, and approve Categorical Exemption No. 14-007.