



Legislation Details (With Text)

File #: 22-0247 **Version:** 1 **Name:** PW - ROI to vacate streets/alleys within Seaport Village complex D8

Type: Resolution **Status:** Adopted

File created: 2/16/2022 **In control:** City Council

On agenda: 3/8/2022 **Final action:** 3/8/2022

Title: Recommendation to adopt Resolution of Intention to vacate the streets and alleys within the Seaport Village complex located at 5601 Paramount Boulevard; and

Set the date of April 12, 2022, for the public hearing on the vacation. (District 8)

Sponsors: Public Works

Indexes:

Code sections:

Attachments: 1. 030822-C-11sr&att.pdf, 2. RES-22-0042.pdf

Date	Ver.	Action By	Action	Result
3/8/2022	1	City Council	approve recommendation and adopt	Pass

Recommendation to adopt Resolution of Intention to vacate the streets and alleys within the Seaport Village complex located at 5601 Paramount Boulevard; and

Set the date of April 12, 2022, for the public hearing on the vacation. (District 8)

Avanath Seaport, LLC, owner of the property at 5601 Paramount Boulevard, requests the vacation of the streets and alleys within the Seaport Village complex, 56th Way, 60-foot wide, between Paramount Boulevard, and Langport Avenue; Langport Avenue between 56th Street and 55th Way; the east/west alley north of 56th Way, 20-foot wide between Paramount Boulevard and Langport Avenue; 56th Street, 60-foot wide, between Paramount Boulevard and Langport Avenue; the east/west alley north of 55th Way, 20-foot wide between Paramount Boulevard and Langport Avenue; and 55th Way, 60-foot wide between Paramount Boulevard and Langport Avenue (Attachment A).

Proceedings for this vacation are being conducted in accordance with Chapter 3, General Vacation Procedure, of the Public Streets, Highways, and Service Easements Vacation Law of the California Streets and Highways Code. Findings must establish that the subject right of way is not necessary for present or prospective public use. The Public Works Department supports this vacation based on findings that these public streets are not necessary as vehicular or pedestrian thoroughfares.

In addition, to avoid landlocking the lots after the vacation is recorded, City staff recommends that the vacation be conditioned on requirement that the property owner(s) be required to process and record access easements for the 33 parcels affected by the vacation to ensure the sidewalks and roadways remain legally accessible for the 33 parcels. This will result in

the creation of private streets and common areas within the Seaport Village Apartment complex. This condition is reflected in Exhibit B to the resolution.

The necessary City departments have reviewed the proposed right of way vacation and have no objections to this action but provided conditions in addition to the condition identified above. These additional recommended conditions to be imposed on this vacation are attached (Attachment B).

The Department of Public Works requests adoption of a resolution of intention to vacate in relation to the vacation described above.

On August 19, 2021, the Planning Commission determined that the proposed vacation was found to be in conformance with all elements of the City's General Plan (Attachment C). This is not a project under the California Environmental Quality Act (CEQA), per section 153378 of the CEQA guidelines, and no environmental review is required.

This matter was reviewed by Deputy City Attorney Erin Weesner-McKinley on February 17, 2022 and by Budget Management Officer Nader Kaamoush on February 16, 2022.

City Council action is requested on March 8, 2022, to set a public hearing date on this matter for April 12, 2022.

A tentative vacation processing fee in the amount of \$7,236 was deposited in the General Fund Group in the Public Works Department. A final fee in the amount of \$5,867 will be paid before the public hearing date. This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities. There is no local job impact associated with this recommendation.

Approve recommendation.

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ERIC LOPEZ
DIRECTOR OF PUBLIC WORKS

APPROVED:

THOMAS B. MODICA
CITY MANAGER