



Legislation Details (With Text)

File #: 20-0832 **Version:** 1 **Name:** PW - Vacate portion of Roble Way between Solana Court and Pacific Avenue D1

Type: Resolution **Status:** Adopted

File created: 8/17/2020 **In control:** City Council

On agenda: 9/1/2020 **Final action:** 9/1/2020

Title: Recommendation to receive supporting documentation into the record, conclude the public hearing, find that the area to be vacated is not needed for present or prospective public use; adopt resolution ordering the vacation of the portion of Roble Way between Solana Court and Pacific Avenue and a portion of the east side of Pacific Avenue between 3rd Street and 4th Street, upon execution of an agreement with Ensemble Real Estate Investments, LLC, a California limited liability company (Applicant), memorializing the conditions imposed on the right-of-way vacation; and

Authorize City Manager, or designee, to execute an agreement with Applicant, memorializing the conditions imposed on the right-of-way vacation. (District 1)

Sponsors: Public Works

Indexes:

Code sections:

Attachments: 1. 090120-H-16sr&att.pdf, 2. 090120-H-16 Corresp. Gonzales.pdf, 3. RES-20-0104.pdf

Date	Ver.	Action By	Action	Result
9/1/2020	1	City Council	approve recommendation and adopt	Pass

Recommendation to receive supporting documentation into the record, conclude the public hearing, find that the area to be vacated is not needed for present or prospective public use; adopt resolution ordering the vacation of the portion of Roble Way between Solana Court and Pacific Avenue and a portion of the east side of Pacific Avenue between 3rd Street and 4th Street, upon execution of an agreement with Ensemble Real Estate Investments, LLC, a California limited liability company (Applicant), memorializing the conditions imposed on the right-of-way vacation; and

Authorize City Manager, or designee, to execute an agreement with Applicant, memorializing the conditions imposed on the right-of-way vacation. (District 1)

To allow for the construction of a mixed-use development consisting of 345 residential units in one tower (23 stories in height with above grade and subterranean parking) and one mid-rise mixed-use building (8 stories in height with above grade and subterranean parking), at 131 West 3rd Street, Ensemble Real Estate Investments (Applicant) requests the vacation of that portion of the Roble Way alley, between Solana Court and Pacific Avenue and a portion of the east side of Pacific Avenue between 3rd Street and 4th Street (Attachment A). Consistent with California land reversion practices and Chapter 3, General Vacation Procedure, of the Public Streets, Highways, and Service Easements Vacation Law of the California Streets and Highways Code, the vacated portions of the public right-of-way will revert to the adjacent property owner(s). If approved, the vacated property would allow the applicant to incorporate

the area into the property development project.

By entering into an agreement with the Applicant memorializing the conditions imposed on the right of way vacation, the vacation can take effect immediately and the imposed conditions can be accomplished by the Applicant thereafter.

On August 4, 2020, the City Council adopted Resolution No. RES-20-0093, declaring its intention to vacate the identified location, and set September 1, 2020, as the date for the public hearing.

This matter was reviewed by Deputy City Attorney Erin Weesner-McKinley and Budget Analysis Officer Julissa José-Murray on August 14, 2020.

City Council action is requested on September 1, 2020, as the public hearing date was set by the August 4, 2020 City Council action.

A final vacation processing fee in the amount of \$3,712 has been requested from the Applicant and will be deposited in the General Fund Group in the Public Works Department. 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