



Legislation Details (With Text)

**File #:** 18-0478      **Version:** 1      **Name:** PW - ROI for 5166-5190 Atlantic Ave. D8  
**Type:** Resolution      **Status:** Adopted  
**File created:** 5/22/2018      **In control:** City Council  
**On agenda:** 6/12/2018      **Final action:** 6/12/2018

**Title:** Recommendation to adopt Resolution of Intention to vacate a portion of Atlantic Avenue adjacent to 5166-5190 Atlantic Avenue, reserving an easement for public access and utility purposes; set the date of Tuesday, July 24, 2018, for the public hearing on the vacation; and  
Accept Categorical Exemption CE-18-061. (District 8)

**Sponsors:** Public Works

**Indexes:**

**Code sections:**

**Attachments:** 1. 061218-C-17sr&att.pdf, 2. RES-18-0080.pdf

Date	Ver.	Action By	Action	Result
6/12/2018	1	City Council	approve recommendation and adopt	Pass

Recommendation to adopt Resolution of Intention to vacate a portion of Atlantic Avenue adjacent to 5166-5190 Atlantic Avenue, reserving an easement for public access and utility purposes; set the date of Tuesday, July 24, 2018, for the public hearing on the vacation; and

Accept Categorical Exemption CE-18-061. (District 8)

AP Atlantic, LLC, owner of the property at 5152-5190 Atlantic Avenue, requested the vacation of the portion of Atlantic Avenue adjacent to 5166-5190 Atlantic Avenue, reserving an easement for utility and public access (Attachment A - Vacation Sketch). This portion of Atlantic Avenue is set back off the main corridor and currently serves as parking space for a shopping center. Vacating this portion of Atlantic Avenue would allow the applicant to increase parking and reorganize the shopping center.

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 unnecessary for present or prospective public use. The Public Works Department supports this vacation based on findings that this portion of Atlantic Avenue between Via Veranada and Via Wanda are not necessary as vehicular or pedestrian thoroughfares.

On March 15, 2018, the Planning Commission determined that the proposed vacation of the approximately 9,000 square-foot area was in conformance with the adopted goals of the City's General Plan and approved Categorical Exemption CE-18-061 (Attachment B - Planning Commission Staff Report). In conformance with the California Environmental Quality Act, Categorical Exemption CE-18-061 was adopted for this development (Attachment C -

Notice of Exemption).

The necessary departments, including Traffic Engineering, Fire and Police have reviewed the proposed right-of-way vacation and have no objections to this action. Conditions of approval, satisfying the concerns of the public utility companies, are attached (Attachment D - Conditions).

This matter was reviewed by Deputy City Attorney Linda T. Vu on May 15, 2018 and by Budget Analysis Officer Julissa José-Murray on May 21, 2018.

City Council action is requested on June 12, 2018, to set a public hearing date on this matter for July 24, 2018.

A tentative vacation processing fee of \$10,105 was deposited in the General Fund (GF) in the Public Works Department (PW). There is no local job impact associated with this recommendation.

Approve recommendation.

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CRAIG A. BECK  
DIRECTOR OF PUBLIC WORKS

APPROVED:

PATRICK H. WEST  
CITY MANAGER