



## **BACKGROUND:**

On October 26, 2021, the City Council adopted Resolution No. 23795, pursuant to the Public Streets, Highways and Service Easements Vacation Law, declaring its intent to hold a public hearing on December 7, 2021, to consider the Vacation of a segment of Eucalyptus Avenue, south of Vasquez Place (Attachments 2 and 3).

## **DISCUSSION:**

The applicant is requesting approval of a Street Vacation to vacate a segment of Eucalyptus Avenue, approximately 4,095 square feet in area, 128 feet in length, and 33 feet in width, to facilitate the construction of the approved senior housing facility to the west. As part of the Street Vacation, Eucalyptus Avenue is proposed to be “knuckled” where it intersects with Vasquez Place. The “knuckle” improvements will include sidewalk, curb, and gutter. The segment of Eucalyptus Avenue proposed to be vacated will be closed off to the public, and ownership will be transferred to the property owner of the single-family residence at 2290 Vasquez Place. The applicant has agreed to construct a new driveway approach at the “knuckle” to serve the residence at 2290 Vasquez Place.

Eucalyptus Avenue is a half-dedicated street that is not needed for vehicular or pedestrian traffic, although it was once envisioned by the City to continue southbound to connect to Fourteenth Street/Martin Luther King Jr. Boulevard to complete the grid pattern. With the realignment of Fourteenth Street/Martin Luther King Jr. Boulevard to its current curvilinear configuration, the extension of Eucalyptus Avenue would have resulted in a potentially dangerous intersection. Therefore, the extension of Eucalyptus Avenue from Vasquez Place to Fourteenth Street is no longer needed or desirable.

Pursuant to the provisions of the Public Streets, Highways, and Services Easements Vacation Law (commencing with Section 8300 of the Streets and Highway Code and Section 21101 of the Vehicle Code of the State of California), and Chapter 19.890 (Street, Alley, and Walkway Vacations), the City may regulate traffic on its public streets, alleys, and walkways to the extent expressly authorized. The law permits the City to vacate a street, alley, or walkway, only upon a finding supported by substantial evidence, when the right-of-way is no longer needed for vehicular or pedestrian traffic and is unnecessary for present or future public use.

The following facts are provided to support the proposed Street Vacation of the subject segment of Eucalyptus Avenue:

- The proposed area to be vacated will no longer be needed for street purposes or for access to adjacent parcels, as the proposed vacated segment of Eucalyptus Avenue will be transferred to the residence at 2290 Vasquez Place, and improvements provided by the applicant will ensure the residence at 2290 Vasquez Place has adequate access. The proposed street vacation will facilitate the construction of the future senior housing facility;
- The proposed area to be vacated is unnecessary for present or future public use or vehicular traffic. This segment of Eucalyptus Avenue was envisioned as a connection to Fourteenth Street/Martin Luther King Boulevard. However, the existing curvilinear street configuration at Fourteenth Street/Martin Luther King Boulevard would result in a potentially dangerous intersection;

- The proposed Vacation will not be materially detrimental to the health, safety, and general welfare of the public or otherwise injurious to the environment or to the property or improvements within the area;
- The proposed Vacation will not impact access to any other parcels and will only be used by the residence at 2290 Vasquez Place; and
- The proposed Vacation will allow for the continuation of vehicular and pedestrian access on surrounding streets.

Based on the facts stated above, the subject street is not needed for vehicular or pedestrian traffic or for present or prospective public use. The vacated right-of-way will be placed within the R-1-7000 – Single Family Residential Zone based on the City’s General Plan.

### Public Notice and Comments

Public notices were mailed to property owners within 300 feet of the site. Additionally, a Notice of Public Hearing regarding this project was posted along the right-of-way to be vacated on November 19, 2021. As of the writing of this report, no responses have been received by staff regarding this project.

### **STRATEGIC PLAN ALIGNMENT:**

This item contributes to **Strategic Priority 3 – Economic Opportunity (Goal 3.3 – Cultivate a business climate that welcomes innovation, entrepreneurship, and investment)**.

This item aligns with the following Cross-Cutting Threads:

1. *Community Trust* – The proposed Vacation and associated senior project was considered at a public meeting held by the City Planning Commission where public comment is part of the process and City Council adopted a resolution on October 26, 2021, pursuant to the Public Streets, Highways and Service Easements Vacation Law, declaring its intent to hold a public hearing.
2. *Equity* – The proposed project will facilitate a senior housing project.
3. *Fiscal Responsibility* – The applicant is responsible for all project costs.
4. *Innovation* – The proposed Street Vacation will facilitate an affordable senior housing development project that is sensitive to the surrounding single-family residences.
5. *Sustainability and Resiliency* – The proposed project is consistent with the approved Mitigated Negative Declaration and will not impact the environment.

### **FISCAL IMPACT:**

There is no fiscal impact associated with this action since all project costs are borne by the applicant.

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Certified as to  
availability of funds: Edward Enriquez, Chief Financial Officer/City Treasurer  
Approved by: Rafael Guzman, Assistant City Manager  
Approved as to form: Phaedra A. Norton, City Attorney

Attachments:

1. Resolution of Vacation
2. City Council Memorandum and Attachments – October 26, 2021
3. City Council Resolution No. 23795 - October 26, 2021
4. Presentation