



*City of Arts & Innovation*

# City Council Memorandum

**TO: HONORABLE MAYOR AND CITY COUNCIL** **DATE: MAY 17, 2022**

**FROM: COMMUNITY & ECONOMIC DEVELOPMENT** **WARD: 1**  
**DEPARTMENT**

**SUBJECT: SD-2022-00005 SUMMARY STREET VACATION - PROPOSAL BY OVERLAND DEVELOPMENT COMPANY FOR A SUMMARY STREET VACATION OF A SEGMENT OF EXCESS RIGHT-OF-WAY LOCATED ADJACENT TO 1459 AND 1535 WEST LA CADENA DRIVE, ON THE WEST SIDE OF WEST LA CADENA DRIVE BETWEEN KNOLL WAY AND SPRING GARDEN STREET**

## **ISSUE:**

Approve a proposal by Overland Development Company for a summary street vacation of a segment of excess right-of-way located adjacent to 1459 and 1535 West La Cadena Drive, on the west side of West La Cadena Drive between Knoll Way and Spring Garden Street.

## **RECOMMENDATIONS:**

That the City Council:

1. Approve Planning Case SD-2022-00005 for the Summary Street Vacation of 6,279 square feet (0.14 acres) of a segment of excess right-of-way, subject to the attached recommended conditions of approval;
2. Adopt the attached resolution vacating the of excess right-of way; and
3. Authorize the City Manager, or his designee, to execute quitclaim deeds associated with the Summary Street Vacation as necessary.

## **BACKGROUND:**

The segment of excess right-of-way proposed to be summarily vacated resulted from the SR-60/SR-91/I-215 freeway interchange improvement project and realignment and improvements to La Cadena Drive (Attachment 3). The California Department of Transportation (Caltrans) acquired the right-of-way of La Cadena Drive from Malta Place to Spruce Street and from Strong Street to Spring Garden to facilitate the freeway interchange improvement project. Upon completion, Caltrans relinquished the acquired segments of right-of-way to the City of Riverside (City). The

relinquishment was finalized on February 1, 2007, with the recordation of the California Transportation Commission Relinquishment of Highway Right of Way Agreement (Attachment 4).

The realignment of La Cadena Drive resulted in a surplus right-of-way of 6,279 square feet along the easterly side of two vacant properties located at 1459 and 1535 West La Cadena Drive (Attachment 5).

## **DISCUSSION:**

The proposed summary street vacation will vacate excess right-of-way along the frontage of two vacant parcels, located at 1459 and 1535 West La Cadena Drive, approximately 8.8 feet in width and 528.14 feet in length and totaling 6,279 square feet (0.14 acres).

The area to be vacated is unimproved and adjacent to existing street improvements. If the summary vacation is approved, the subject 6,279-square-foot area will be removed from the public right-of-way.

The following summarizes the facts and findings required for approval of a summary vacation:

1. The property is excess right-of-way and is not required for street purposes.

The Master Plan of Roadways, Figure CCM-4 of the General Plan 2025 Circulation and Community Mobility Element, designates West La Cadena Drive as a 66-foot collector street. There is approximately 41.8 feet from the street centerline of West La Cadena Drive to the subject properties, where 33 feet would be required. This results in approximately 8.8 feet of excess right-of-way. The area to be vacated is not required for street purposes.

2. Access to adjoining properties will not be affected.

Access to surrounding properties to the north and south will not be affected. The adjacent businesses and residence are served by existing driveways on West La Cadena Drive. The proposed area to be vacated will not impact vehicular or pedestrian circulation along this segment of West La Cadena Drive. Upon finalization of the summary vacation, the excess right-of-way will be consolidated with the adjoining two parcels located at 1459 and 1535 West La Cadena Drive.

3. These portions of the streets have been closed and impassable as a public road and no public funds have been expended on its maintenance for the last five years.

The area to be vacated has never been utilized or improved as passable public right-of-way. Existing power poles will remain in the right-of-way. No public funds have been expended for maintenance of the accepted offer of right-of-way dedication for street purposes within the last five years.

## **STRATEGIC PLAN ALIGNMENT:**

This item contributes to **Strategic Priority 6 – Infrastructure, Mobility & Connectivity**, and **Goal 6.2** – Maintain, protect, and improve assets and infrastructure within the City’s built environment to ensure and enhance reliability, resiliency, sustainability, and facilitate connectivity.

This item aligns with each of the five Cross-Cutting Threads as follows:

1. **Community Trust** – The City is being transparent in processing the summary vacation request in conformance with the discretionary processing provisions.
2. **Equity** – The City is a prudent steward of public funds requiring the area to be vacated, appraised, and sold at fair market rate.
3. **Fiscal Responsibility** – All costs for the proposed project are borne by the applicant.
4. **Innovation** – Upon finalization of the summary vacation, the excess right-of-way will be consolidated with the adjoining parcels to facilitate future development.
5. **Sustainability & Resiliency** – The proposed area to be vacated is unimproved and will not impact vehicular or pedestrian circulation, will be sold to be combined with the adjoining, vacant parcels for a future project and meet the current and future needs of the community.

### **FISCAL IMPACT:**

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

Prepared by: Chris Christopoulos, Acting Community & Economic Development Director

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. Summary Vacation Resolution
2. Recommended Conditions
3. Aerial Photo
4. Relinquish of Highway Right-Of-Way Request No. 449-R – Dated February 1, 2007
5. Legal and Plat Map