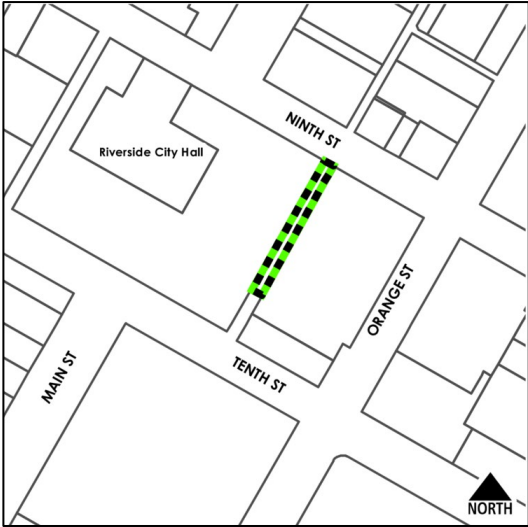




PLANNING COMMISSION HEARING DATE: SEPTEMBER 1, 2022

AGENDA ITEM NO.: 4

PROPOSED PROJECT

Case Number	SD-2022-00011 (Street Vacation)	
Request	To consider a Street Vacation to vacate a portion of an alley (Mariposa Alley) for pedestrian use. The area to be vacated is approximately 249 feet in length and 20 feet in width.	
Applicant	City of Riverside	
Project Location	Alley bounded by Ninth Street to the north, Parking Garage 6 to the east, Tenth Street to the south and Riverside City Hall to the west	
APN	N/A	
Project Area	Approximately 4,980 square feet	
Ward	1	
Neighborhood	Downtown	
General Plan Designation	N/A	
Zoning Designation	N/A	
Staff Planner	Regine Osorio, Associate Planner 951-826-5712 rosorio@riversideca.gov	

RECOMMENDATIONS

Staff recommends that the Planning Commission:

1. **RECOMMEND that the City Council DETERMINE** that the project is exempt from the California Environmental Quality Act (CEQA) review pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines, as the project will not have a significant effect on the environment; and
2. **RECOMMEND that the City Council APPROVE** Planning Case SD-2022-00011 (Street Vacation), based on the findings outlined in the staff report and subject to the recommended conditions (Exhibit 1).

BACKGROUND AND PROPOSAL

Mariposa Alley is bounded by Ninth Street to the north, Parking Garage 6 to the east, Tenth Street to the south and Riverside City Hall to the west. Surrounding land uses include multi-family residences to the north (across Ninth Street), commercial businesses to the south, a parking garage to the east, and civic use to the west.

The City of Riverside is proposing a Street Vacation to vacate a portion of an alley (Mariposa Alley) for pedestrian use. Mariposa Alley is approximately 330 feet in length and 20 feet wide. The area to be vacated is approximately 249 feet in length and 20 feet in width. The remainder of the alley will remain open to allow vehicles to exit from Parking Lot 6 which is used by the adjacent commercial businesses to the south.

The vacation of Mariposa Alley is part of a beautification initiative by the Riverside Mayor's Office, which includes the Military Wall of Honor Memorial, the Monarch Garden, and landscape improvements. The alley has been artistically enhanced over the past two years with painted floral murals, metal butterfly sculptures, and overhead string lights. The project proposes to install removal bollards at the ends of the vacated portion of the alley restricting vehicle access. The proposed improvements will allow pedestrians to safely use the alleyway, while allowing limited vehicle access for maintenance, special events, and emergencies only.

PROJECT ANALYSIS

Pursuant to State law, specifically 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), the City may regulate traffic on its public streets, alleys, and walkways only 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 that the right-of-way is no longer needed for vehicular traffic and is unnecessary for present or prospective vehicular use.

The following facts are provided related to the proposed vacation of the subject portion of Mariposa Alley:

- The proposed area to be vacated will no longer be needed for street purposes or for access to adjacent parcels, as adequate access will be provided through the surrounding streets, including Ninth Street to the north, Tenth Street to the south, and Orange Street to the east.
- The proposed area to be vacated is unnecessary for present or prospective vehicular traffic. Two parking garages are located adjacent to the portion of the alley to be vacated. City Hall parking garage takes access from Tenth Street, while the Orange Street Parking Garage takes access from Ninth Street. No other driveways or vehicular access points exist along the proposed vacation. The project does not intend to vacate the southerly 81 feet of the alley, leaving that portion of the alley available for vehicles to exit from the existing parking lot directly behind the multi-tenant commercial building.
- Properties to the east and west of the proposed vacation will retain public access from Ninth, Tenth, and Orange Streets, and as such, the area to be vacated will not be necessary for access to any parcels.
- The proposed vacation will not impact access to any other parcels as all other streets will remain in their current configuration, and the proposed vacation will not impact east-west vehicular or pedestrian circulation.

Based on the findings above, the subject right-of-way is not needed for vehicular traffic. The vacated right-of-way will be placed within the Raincross District of the Downtown Specific Plan and designated Downtown Specific Plan – Raincross District based on the City's General Plan.

In compliance with State Law and local ordinance, should the Planning Commission approve the proposed Street Vacation, the City Council will consider a Resolution of Intent to set a public hearing to consider the vacation at a date not sooner than 15 days following adoption of the Resolution of Intent. At least 15 days prior to the public hearing date established with the Resolution of Intent, a notice will be posted at all intersections and at points occurring each 300 feet along the affected roadway segment.

FINDINGS SUMMARY

The vacation of a segment of Mariposa Alley will not impact access or circulation to surrounding properties or to the City's overall circulation element.

The project, as proposed, 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. Any traffic to or from Ninth or Tenth Streets that seeks to use Mariposa Alley will still have access via Orange Street.

The proposed alley vacation will provide a safe pedestrian access to nearby attractions such as the Military Wall of Honor Memorial and the Monarch Garden, while enjoying the enhanced alley.

ENVIRONMENTAL REVIEW

The Planning Division of the Community & Economic Development Department has determined that this proposal is exempt from the California Environmental Quality Act (CEQA) review pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines, as the project will not have a significant effect on the environment.

PUBLIC NOTICE AND COMMENTS

Public hearing notices were mailed to property owners within 300 feet of the site. As of the writing of this report, no responses have been received by staff regarding this project.

STRATEGIC PLAN ALIGNMENT

This project contributes to the Envision Riverside 2025 City Council Strategic Priority 2 – Community Well Being (Goal 2.3 – Strengthen neighborhood identities and improve community health and the physical environment through amenities and programs that foster an increased sense of community and enhanced feelings of pride and belonging citywide).

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

1. *Community Trust* – The City's transparent entitlement process encourages public participation.
2. *Equity* – The proposed project is a public amenity that is available to residents and visitors.
3. *Fiscal Responsibility* – All fiscal responsibility for the proposed project is borne by the City of Riverside.

4. *Innovation* – The proposed project enhances the pedestrian experience at Mariposa Alley and creates a nexus with adjacent public amenities such as the Military Wall of Honor Memorial and the Monarch Garden.
5. *Sustainability and Resiliency* – Mariposa alley will be maintained by the City Streets Divisions crews to ensure cleanliness and long-term sustainability.

APPEAL INFORMATION

Actions by the City Planning Commission, including any environmental finding, may be appealed to the City Council within ten calendar days after the decision. Appeal filing and processing information may be obtained from the Planning Department Public Information Section, 3rd Floor, City Hall.

EXHIBITS LIST

1. Staff Recommended Conditions of Approval
2. Existing Site Photos
3. Location Map
4. General Plan Map
5. Zoning and Specific Plan Map
6. Legal Description and Plat Map
7. Site Plan

Prepared by: Regine Osorio, Associate Planner

Reviewed by: Brian Norton, Senior Planner

Approved by: Mary Kopaskie-Brown, Acting Deputy Director and City Planner



EXHIBIT 1 – STAFF RECOMMENDED CONDITIONS OF APPROVAL

RECOMMENDED CONDITIONS & GENERAL INFORMATION NOTES

PLANNING CASE: **SD-2022-00011** (Street Vacation)

Planning Division

1. There shall be a one-year time limit in which to satisfy the conditions and finalize this action.

Public Works

Conditions to be fulfilled prior to case finalization, unless otherwise noted:

2. All conditions placed upon this case must be fulfilled prior to the recording of the vacation resolution by the City Clerk. The case is not finalized until the City Clerk records the Vacation Resolution.
3. If the disposition of land is other than by operation of law the applicant shall have quitclaim deeds exchanging the property prepared to the satisfaction of Planning, City Attorney's Office and Public Works Departments. All necessary parcel descriptions and plats shall be prepared, signed and sealed by a licensed Land Surveyor or Civil Engineer authorized to practice Land Surveying in the State of California. DESCRIPTIONS and PLATS ARE REQUIRED TO BE ON 82 inch by 11-inch FORMAT.
4. Council authorizes the City Manager to execute quitclaims documents on behalf of the City of Riverside to extinguish the desired public rights within the vacated right of way that does not revert by operation of law.
5. Prior to finalization of the case, the applicant shall provide the appropriate documentation that the lender(s) / trustee(s) has (have) agreed to modify any Trust Deed(s) to reflect the reconfigured parcel(s).
6. Property transfers to the final proposed parcel configurations must be accomplished concurrently with the finalization of this case.
7. All recording fees of the Riverside County Recorder, including transfer documents, grants of right-of-way and the Certificate of Compliance for Lot Line Adjustment are the responsibility of the applicant.
8. VC PR-2022-00011 to be completed prior to issuance of the Certificate of Compliance.
9. Advisory: A Public Utility Easement (PUE) will be reserved over the entire area of the vacation.

Traffic

10. Public Works Department shall repave the alley and construct removable bollards.