



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL **DATE: DECEMBER 1, 2015**

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

SUBJECT: PLANNING CASE P15-0023 – PROPOSAL BY MARIO CALVILLO TO SUMMARILY VACATE APPROXIMATELY 5,287 SQUARE FOOT OF THE PORTION OF LA CADENA DRIVE LYING BETWEEN THE WEST END OF E. LA CADENA DRIVE, WEST OF KANSAS AVENUE, AND UP TO THE CALIFORNIA STATE ROUTE 91 RIGHT-OF-WAY

ISSUE:

The proposal is a request by Mario Calvillo to summarily vacate approximately 5,287 square foot of undeveloped land, located at a corner of the westerly end of East La Cadena Drive. The approximately 5,287 square-foot area to be vacated can be considered excess right-of-way and is no longer needed for street purposes.

RECOMMENDATIONS:

That the City Council:

1. Approve Planning Case P15-0023 to summarily vacate approximately 5,287 square foot of excess right of way subject to the recommended conditions;
2. Adopt the attached summary vacation resolution; and
3. Authorize the City Manager, or his designee, to execute quitclaim deeds as necessary.

BACKGROUND:

This proposal from Mario Calvillo is to summarily vacate an approximately 5,287 square foot undeveloped portion of land that was originally intended for the expansion of E. La Cadena Drive. However, the alignment of E. La Cadena Drive was changed due to the development of State Route 91. The subject site to be summarily vacated sits adjacent to the northerly property line of 2200 E. La Cadena Drive. The summary vacation will facilitate the development of 2200 E. La Cadena Drive, as it adds land to the small parcel. The westerly end of E. La Cadena Drive has already been developed with a cul-de-sac, and no further expansion is expected.

The Zoning Code requires that at least one of four possible findings be made in order to approve a Summary Vacation. In this instance, facts can be provided to support the following findings as discussed below:

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

The subject site that is to be summarily vacated is no longer needed for the expansion of E. La Cadena Drive. The City has developed the westerly end of E. La Cadena Drive with a cul-de-sac and expansion will not be possible due to the development of the State Route 91 right-of-way.

2. Access to adjoining properties will not be affected.

Access to adjacent properties and public streets will not be affected. All adjacent properties remain accessible from E. La Cadena Drive, including the development of the property at 2200 E. La Cadena Drive.

3. This portion of the street has been closed and impassable as a public road and no public funds have been expended on its maintenance for the last five years.

The portion to be summarily vacated is unimproved, and has become impassable over last 10 years.

FISCAL IMPACT:

There is no fiscal impact to the General Fund, since all project costs are borne by the applicant.

Prepared by:	Rafael Guzman, Community & Economic Development Director
Certified as to availability of funds:	Brent A. Mason, Finance Director/Treasurer
Approved by:	Al Zelinka, FAICP Assistant City Manager
Approved as to form:	Gary G. Geuss, City Attorney

Attachments:

1. Aerial map
2. Summary Vacation Resolution
3. Recommended Conditions