



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL **DATE: MARCH 12, 2019**

FROM: COMMUNITY & ECONOMIC DEVELOPMENT **WARD: 5**
DEPARTMENT

SUBJECT: PLANNING CASE P19-0004 BY STEVE SMITH OF CALIFORNIA BAPTIST UNIVERSITY FOR A SUMMARY STREET VACATION OF 0.32 ACRES OF AN UNACCEPTED OFFER OF RIGHT-OF-WAY DEDICATION - SEGMENT OF MAGNOLIA AVENUE BETWEEN BEL AIR STREET AND MONROE STREET

ISSUE:

Approve the proposal by California Baptist University to summarily vacate a segment of an unaccepted offer of right-of-way dedication, approximately 42 feet in width and 330 feet in length, totaling 13,860 square feet (0.32 acres) in area, on the north side of Magnolia Avenue between Bel Air Street and Monroe Street.

RECOMMENDATIONS:

That the City Council:

1. Approve Planning Case P19-0004 for the Summary Street Vacation of 0.32 acres of an unaccepted offer of right-of-way dedication, subject to the recommended conditions;
2. Adopt the attached resolution vacating approximately 0.32 acres (13,860 square feet) of unaccepted offer of right-of way-dedication; and
3. Authorize the City Manager, or his designee, to execute quitclaim deeds associated with the Summary Street Vacation as necessary.

BACKGROUND:

On July 26, 1983, the City Council approved a revision to the previously approved Conditional Use Permit (CU-026-590) to permit an expansion of the Lutheran Church of the Cross. A condition of approval required a 42-foot dedication along the Magnolia Avenue frontage for future widening that would accommodate a frontage road. Currently, frontage roads are being removed along Magnolia Avenue as adjacent land undergoes redevelopment. The offer of dedication (Document No. 202633) was recorded in 1983, but never accepted. Improvements for the widening of Magnolia Avenue were not constructed.

DISCUSSION:

The proposed summary street vacation will vacate a segment of Magnolia Avenue, currently an unimproved segment of approximately 42 feet in width and 330 feet in length, totaling approximately 13,860 square feet (0.32 acres) in area. If the summary vacation is approved, this case will quitclaim the subject area and will no longer be needed for public street and highway purposes.

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 Circulation and Community Mobility Element, designates Magnolia Avenue as a 120-foot arterial, parkway, and special/scenic boulevard. This segment of Magnolia Avenue has been improved to its ultimate street width so the area proposed to be vacated is no longer needed for street purposes.

2. *Access to adjoining properties will not be affected.*

Surrounding properties to the east and west of the site will not be affected. The adjacent multi-family property to the west will continue to have access from Monroe Street and Magnolia Avenue. Bel Air Street will provide access to the single-family residences to the east. The proposed area to be vacated will not impact east-west vehicular or pedestrian circulation along Magnolia Avenue.

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 not been accepted as right-of-way and has not been improved. No public funds have been expended for maintenance of the offer of right-of-way dedication for street purposes within the last five years.

FISCAL IMPACT:

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

Prepared by: David Welch, 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: Gary G. Geuss, City Attorney

Attachments:

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