



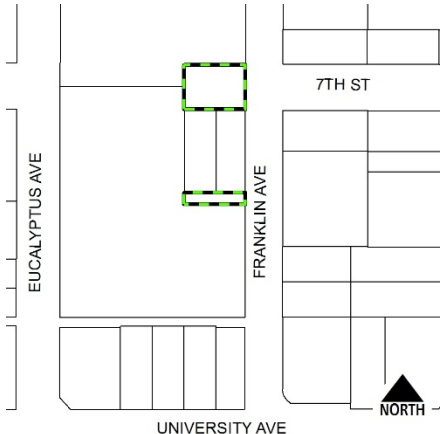
Community & Economic Development Department

3900 Main Street, Riverside, CA 92522 | Phone: (951) 826-5371 | [RiversideCA.gov](http://RiversideCA.gov)

Planning Division

**PLANNING COMMISSION HEARING DATE: DECEMBER 10, 2020  
AGENDA ITEM NO.: 3**

**PROPOSED PROJECT**

<i>Case Number</i>	<b>P20-0134</b> (Street Vacation)	
<i>Request</i>	To consider a Street Vacation to: 1) vacate approximately 7,268 square feet of public right-of-way consisting of a segment of Seventh Street, approximately 105 feet in length and 80 feet in width; and 2) vacate approximately 3,150 square feet consisting of an unimproved public alley, approximately 105 feet in length and 30 feet in width.	
<i>Applicant</i>	Gaby Adame of Riverside Unified School District	
<i>Project Location</i>	On the west side of Franklin Avenue between Seventh Street and University Avenue	
<i>APN</i>	N/A	
<i>Project Area</i>	0.24 acres	
<i>Ward</i>	2	
<i>Neighborhood</i>	Eastside	
<i>General Plan Designation</i>	Seventh Street: N/A Alley: PF - Public Facilities	
<i>Zoning Designation</i>	Seventh Street: N/A Alley: PF-CR – Public Facilities and Cultural Resources Overlay Zone	
<i>Staff Planner</i>	Judy Egüez, Associate Planner 951-826-3969 <a href="mailto:jeguez@riversideca.gov">jeguez@riversideca.gov</a>	

**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) subject to Section 15061(b)(3) (Common Sense Rule) of the CEQA Guidelines, as it can be seen with certainty that the project will have no significant effect on the environment; and
2. **RECOMMEND that the City Council APPROVE** Planning Case P20-0134 (Street Vacation), based on the findings outlined in the staff report and subject to the recommended conditions (Exhibits 1).

## BACKGROUND

The subject segment of Seventh Street and the unimproved alley serve two existing residences located at 2210 and 2226 Seventh Street which have been acquired by Riverside Unified School District (RUSD) to expand Longfellow Elementary School. The rights-of-way proposed to be vacated are surrounded by RUSD property to the north, south, and west and existing residences and a parking lot to the east across Franklin Avenue. Vacation of the segments will not impact access to the existing residences and parking lot.

The following describes the rights-of-way to be vacated:

- The subject segment of Seventh Street is designated as a 66-foot-wide local street with one travel lane in each direction and terminates approximately 120 feet west of the intersection with Franklin Avenue.
- The subject alley is a 30-foot wide right-of-way that provides access to the garages of the two residences fronting onto Seventh Street. The unimproved alley currently terminates at the playground in Longfellow Elementary School.

As a matter of information, in 1934, the City Council approved the vacation of the segment of alley west of the segment under consideration. In 1992, the City Council approved the vacation of the segment of Seventh Street west of the segment under consideration to accommodate the expansion of Longfellow Elementary School.

## PROPOSAL

The applicant is requesting approval of a Street Vacation to vacate approximately 7,268 square feet of public right-of-way consisting of a segment of Seventh Street, approximately 105 feet in length and 80 feet in width; and the entirety of an unimproved public alley consisting of 3,150 square feet, approximately 105 feet in length and 30 feet in width to accommodate expansion of Longfellow Elementary School.

The school expansion will include a staff parking lot and vehicle queueing for student drop-off and pick-up. RUSD is coordinating with the Public Works Department Traffic Division in the design of a traffic circle at the intersection of Seventh Street and Franklin Avenue.

## PROJECT ANALYSIS

### *Street and Alley Vacation*

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 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 or pedestrian traffic and is unnecessary for present or prospective public use.

The following facts are provided to support the proposed vacation of the subject portion of Seventh Street right-of-way and the entirety of the unimproved public alley:

- The proposed area to be vacated will no longer be needed for street purposes or for access to adjacent parcels, as the parcels are owned by RUSD as part of the expansion of Longfellow Elementary School and access will not be impacted. RUSD is coordinating with the Public Works Department Traffic Division to reconfigure the intersection of Seventh Street and Franklin Street with a traffic circle to provide safe circulation into the school.

- The proposed area to be vacated is unnecessary for present or future public use or vehicular traffic. This segment of Seventh Street and the alley provided access to the two residences that have since been acquired by the RUSD to facilitate the expansion of Longfellow Elementary School. There are no other uses, residences or business that require access from this segment of Seventh Street and the alley. The segment of Seventh Street and the alley do not currently connect to any other street and terminate at the school property. Vehicular traffic to the existing parking lot and the residences on the east side of Franklin Avenue will continue to be accessed from Franklin Avenue.
- Franklin Avenue will continue to serve as the primary access to the future expansion of Longfellow Elementary School and will continue to provide access to the existing parking lot and residences located on the east side of Franklin Avenue. RUSD is coordinating with Public Works Department Traffic Division to reconfigure the intersection of Seventh Street and Franklin Avenue with a traffic circle to provide convenient and safe access to the surrounding neighborhood and to the school. The area to be vacated will not be necessary for access.
- The proposed vacation will not impact access to any other parcels, as the adjacent parcels to the north, south and west are all owned by the RUSD.

Based on the findings above, staff concluded that the subject street and alley rights-of-way are not needed for vehicular or pedestrian traffic or for present or prospective public use. The vacated rights-of-way will revert to the General Plan land use designation and zoning of the adjacent properties.

In compliance with State Law and local ordinance, if the Planning Commission approves 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 segments.

## **FINDINGS SUMMARY**

The vacation of a segment of Seventh Street and the entirety of the unimproved public alley will not impact access or circulation to surrounding properties or to the City's overall circulation. 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.

The segment of Seventh Street and the alley to be vacated will be acquired by the RUSD and incorporated into the site design for the expansion of Longfellow Elementary School. The areas to be vacated are not used to access other properties or connect to surrounding streets as they are surrounded by RUSD-owned property to the north, south and west. RUSD is coordinating with the Public Works Department Traffic Division to reconfigure the intersection of Seventh Street and Franklin Avenue with a traffic circle to provide safe circulation into the school.

## **ENVIRONMENTAL REVIEW**

Staff has determined that the proposed street vacation is categorically exempt from California Environmental Quality Act (CEQA) review pursuant to Sections 15061(b)(3) (Common Sense Rule) of the CEQA Guidelines, which stipulates that a project is exempt from CEQA if covered by the general rule that CEQA applies only to projects that have a potential for causing a significant effect on the environment. As the proposal involves the vacation of local streets and alley, not identified as a major component of the local roadway network, it can be seen with certainty that there is no possibility that the project will have a significant effect on the environment.

RUSD purchased the two existing residential lots that use the segment of Seventh Street and alley to facilitate the expansion of Longfellow Elementary School and the rights-of-way are no longer needed for access. Neighborhood traffic will continue to circulate via Franklin Avenue without a change in the level of service or vehicle miles traveled.

## **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.

## **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, 3<sup>rd</sup> Floor, City Hall.

## **EXHIBITS LIST**

1. Staff Recommended Conditions of Approval
2. Location Map
3. General Plan Map
4. Zoning Map
5. Legal Description and Plat Map
6. Conceptual Site Plan (for reference only)
7. Existing Site Photos

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Prepared by: Judy Egüez, Associate Planner

Reviewed by: Patricia Brenes, Principal Planner and Candice Assadzadeh, Senior Planner

Approved by: Mary Kopaskie-Brown, City Planner



EXHIBIT 2 – STAFF RECOMMENDED CONDITIONS OF APPROVAL

**RECOMMENDED CONDITIONS & GENERAL INFORMATION NOTES**

**PLANNING CASE:** P20-0134 (Street Vacation)

**Planning Division**

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

**Public Utilities – Electric**

2. Plot existing electrical distribution facilities on the original site plan.
3. Power pole relocations/replacement – project requires re-route of power lines – RPU is currently working with customer on the design for the re-route.
4. Customer needs to contact third party attached to existing power poles to work on coordinating relocation

**Public Utilities – Water**

*Prior to recordation of the Vacation Resolution:*

5. Prior to street vacation, applicant shall have the existing fire hydrant at the corner of Seventh Street and Franklin Avenue relocated into the street right-of-way.
6. Prior to street vacation, applicant shall have any unused water services within the street vacation area abandoned at the water main.
7. Easements for existing water lines will be retained across the vacated Seventh Street.

**Public Works**

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

8. 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.
9. 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 8 ½ inch by 11-inch FORMAT.
10. 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.
11. 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).

12. Property transfers to the final proposed parcel configurations must be accomplished concurrently with the finalization of this case. Ownership of the property shall remain undivided prior to recordation of the Certificate of Compliance for Lot Line Adjustment.
13. 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.
14. Applicant shall prepare Grant Deeds that have each owner grant to themselves each of the parcels in their final configuration. This requirement is necessary to ensure that the final parcel configurations and ownerships are clearly identified in the Land Title History.
15. VC P20-0134 to be completed prior to issuance of the Certificate of Compliance.
16. *Advisory:* A Public Utility Easement (PUE) will be reserved over the entire area of the Vacation.
17. Closure of alley driveway to Public Works specifications.
18. Size, number and location of new driveway to Public Works specifications.