



City of Arts & Innovation

# City Council Memorandum

**TO: HONORABLE MAYOR AND CITY COUNCIL**                      **DATE: MAY 14, 2024**

**FROM: COMMUNITY & ECONOMIC DEVELOPMENT**                      **WARD: 3**  
**DEPARTMENT**

**SUBJECT: SD-2024-00001 STREET VACATION – ADOPT A RESOLUTION OF INTENT TO SCHEDULE A PUBLIC HEARING TO CONSIDER A STREET VACATION TO VACATE SUNRISE PLACE, SITUATED ON THE WEST SIDE OF KNOB HILL DRIVE, TO FACILITATE A PRIVATE DRIVEWAY.**

**ISSUE:**

Adopt a Resolution of Intent to hold a public hearing on June 18, 2024, to consider a proposal by Steve Berzansky, to vacate Sunrise Place, situated on the west side of Knob Hill Drive, to facilitate a private driveway.

**RECOMMENDATION:**

That the City Council:

1. Adopt the attached resolution declaring its intent to hold a public hearing on June 18, 2024 to consider Planning Case SD-2024-00001 Street Vacation of Sunrise Place, situated on the west side of Sunrise Place, to facilitate a private driveway.

**PLANNING COMMISSION RECOMMENDATION:**

On April 11, 2024, the City Planning Commission recommended approval of Planning Case SD-2024-00001, a request for a Street Vacation to vacate Sunrise Place, by a vote of 7 ayes, 0 noes, and 1 absent (Attachments 2 and 3).

**BACKGROUND:**

Sunrise Place is an existing cul-de-sac approximately 285 feet in length and 40 feet in width, improved with pavement (20-foot wide), curb and gutter. Sunrise Place serves one undeveloped residential parcel located at the end of the cul-de-sac, identified as 2485 Sunrise Place. Four adjacent lots, with existing residences, back onto Sunrise Place, but due to the topography in the area, the lots do not take access from the street (Exhibit 2 & 3). In 2012 the street was gated by the Public Works Department to prevent illegal dumping and other illicit activities due to the street being obscured from view.

As a matter of information, on August 8, 2023, a Design Review (PR-2022-001456) was approved to construct a single-family residence on the property identified at 2485 Sunrise Place.

The Resolution of Intent to hold a public hearing is the first requirement for a street vacation, pursuant to the Public Streets, Highways, and Service Easements Vacation Law. Prior to ordering a street vacation, the City Council must first adopt a resolution declaring its intent to hold a public hearing to consider the vacation of Sunrise Place, setting the place, date and time for the public hearing, and noticing requirements.

### **DISCUSSION:**

The applicant is requesting approval to vacate Sunrise Place which consists of 11,390 square feet of public right-of-way consisting of the entirety of Sunrise Place, approximately 285 feet in length and 40 feet in width to accommodate a private driveway for the future residence located at 2485 Sunrise Place. The entirety of the right-of-way will be incorporated into the total area of the existing parcel at 2485 Sunrise Place.

There will be no major improvements to the future driveway except for repairing damaged asphalt and replacing the existing gate with a 6-foot-high motorized security gate, located 30-feet behind the new property line. The future driveway will continue to only serve the property at 2485 Sunrise Place and will be accessed from Knob Hill Drive. The applicant has proposed a private access easement to be recorded to allow the adjacent homeowners to access the private street to maintain their rear yards.

Staff has determined that the Street Vacation: 1) will not be needed to provide access to the public. The subject street is a cul-de-sac that currently provides access to one residential parcel at 2485 Sunrise Place. If vacated, the street will be quitclaimed, and ownership transferred to the property owner of 2485 Sunrise Place to be incorporated into the total area of their parcel and used as a private driveway taking access from Knob Hill Road. Vacating Sunrise Place will not impact access to any other surrounding parcels as they do not use the street for vehicular or pedestrian access; 2) will not be necessary for present or future public use. As previously mentioned, the property only provides access to one residential parcel. The future property owner will maintain the driveway as it will be used for private access only. The driveway will contain an easement to allow the City to maintain an existing waterline and an access easement to allow adjacent residences to maintain their rear yards; 3) The proposed street to be vacated will not alter the primary access to the existing residential parcel located at 2485 Sunrise. The subject street will be converted to a private driveway for the residential parcel. No adjacent parcels will be impacted by the street vacation; and 4) The proposed vacation will not impact access to any other parcels. All other streets will remain in their current configuration, and the proposed vacation will not impact vehicular or pedestrian circulation.

### **STRATEGIC PLAN ALIGNMENT:**

This project contributes to the Envision Riverside 2025 City Council Strategic Plan Priority 5 – High Performing Government - **Goal 5.3 – Enhance communication and collaboration with community members to improve transparency, build public trust, and encourage shared decision-making.**

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

1. *Community Trust* – The proposed street vacation requires public hearings by the Planning Commission and City Council. Additionally, public comment is encouraged throughout the process through the 15-day public noticing period and at public hearings.
2. *Equity* – The proposed project furthers the City's support of geographic diversity.

3. *Fiscal Responsibility* – The proposed street vacation will be responsible for all fiscal aspects of the project.
4. *Innovation* – The proposed street vacation enhances the aesthetic and security of a neighborhood by taking on the maintenance of a driveway.
5. *Sustainability and Resiliency* – The proposed street vacation is designed to 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: Judy Egüez, Senior Planner  
Approved by: Jennifer A. Lilley, Community & Economic Development Director  
Certified as to  
availability of funds: Kristie Thomas, Finance Director/Assistant Chief Financial Officer  
Approved by: Rafael Guzman, Assistant City Manager  
Approved as to form: Phaedra Norton, City Attorney

**Attachments:**

1. Resolution of Intent to Hold a Public Hearing
2. City Planning Commission Report – April 11, 2024
3. City Planning Commission Minutes – April 11, 2024