



City of Arts & Innovation

City Council Memorandum

City of Arts & Innovation

TO: HONORABLE MAYOR AND CITY COUNCIL **DATE: JANUARY 28, 2025**

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

DEPARTMENT

SUBJECT: SD-2024-00017 STREET VACATION – ADOPT A RESOLUTION OF INTENT TO SCHEDULE A PUBLIC HEARING TO CONSIDER A STREET VACATION TO VACATE PORTIONS OF COMMERCE STREET AND THIRD STREET, GENERALLY SITUATED BETWEEN MISSION INN AVENUE AND THIRD STREET.

ISSUE:

Adopt a Resolution of Intent to hold a public hearing on February 25, 2025, to consider a proposal by the City of Riverside Public Works Department, to vacate portions of Commerce Street and Third Street, situated between Mission Inn Avenue and a portion of unimproved right-of-way to the north of Third Street, to facilitate the construction of the future Third Street Grade Separation.

RECOMMENDATION:

That the City Council adopt the attached resolution declaring its intent to hold a public hearing on February 25, 2025 to consider Planning Case SD-2024-00017 Street Vacation of Commerce Street and Third Street, situated between Mission Inn Avenue and a portion of unimproved right-of-way to the north of Third Street, to facilitate the construction of the future Third Street Grade Separation.

PLANNING COMMISSION RECOMMENDATION:

On December 19, 2024, the City Planning Commission recommended approval of Planning Case SD-2024-00017, a request for a Street Vacation to vacate portions of Commerce Street and Third Street, by a vote of 7 ayes, 0 noes, and 2 absences (Attachments 2 and 3).

BACKGROUND:

Commerce Street is a local street that generally runs along the east side of the Burlington Northern and Santa Fe (BNSF) railroad tracks from Date Street to Third Street and then continues along the west side of the BNSF railroad tracks from Third Street to First Street.

Third Street bisects Commerce Street and is an arterial that connects Downtown Riverside to the 215 Freeway, Eastside Neighborhood, Hunter Business Park and University of California

Riverside.

Commerce Street primarily serves industrial uses along the railroad track while Third Street serves a multitude of different uses (Industrial, commercial, residential) as it traverses west to east from Downtown Riverside to the 215 Freeway. However, the portions of Commerce Street and Third Street, to be vacated with this project serve as access to industrial uses only. The portion of Commerce Street north of Third Street is not improved and does not provide access to any properties as it is partially encumbered by railroad tracks and ground mounted mechanical equipment.

As a matter of information, the City of Riverside Public Works Department is currently in design phase for the Third Street Grade Separation project which proposes to construct a new four-lane grade separated underpass to replace the existing at-grade railroad crossing. The project will improve public safety, eliminate/reduce train horns, relieve traffic congestion, reduce response time for emergency services, and improve mobility for pedestrians and motorists.

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 portions of Commerce Street and Third Street, setting the place, date and time for the public hearing, and noticing requirements.

DISCUSSION:

The request includes approval of a Street Vacation to vacate approximately 62,709 square feet of portions of Commerce Street and Third Street.

The portions of public right-of-way to be vacated consists of the following:

- An 8,580 square foot section of unimproved Commerce Street, 66-feet wide and 130 feet in length, situated north of Third Street;
- A 1,241 square foot section of Third Street, approximately 80-feet wide, ranging in length approximately 12 to 20-feet, situated on the north side of the Third Street and Commerce Street intersection; and
- A 52,888 square foot portion of Commerce Street ranging in width from approximately 26 to 68-feet wide, situated along the west side of Commerce Street, extending from Mission Inn Avenue to Fourth Street.

The portions to be vacated will accommodate the realignment of the railroad rail lines and the location of the bridge associated with the Third Street Grade Separation project. The Third Street Grade Separation project will also include the realignment of Commerce Street, north of Fifth Street, to provide a vehicular and pedestrian connection to Third Street.

All properties currently located along Commerce Street will continue to have vehicular access either through the existing modified 42-foot-wide right-of-way segment of Commerce Street from Mission Inn Avenue to Fifth Street or the realigned 60-foot right-of-way segment of Commerce Street between Fifth Street and Third Street. Additionally, those businesses that currently front Commerce Street between Fourth Street and Fifth Street will continue to be served by a 34-foot two-way roadway segment. Upon vacation, the rights-of-way will be reverted to the Riverside County Transportation Commission (RCTC) and BNSF to accommodate the realignment of the

railroad and bridge.

Properties on the north side of Third Street will continue to take vehicular and pedestrian access from Third Street.

The Street Vacation:

- 1) Will not impact access to surrounding parcels, as the proposal retains access from Commerce Street, Third Street or Fourth Street to existing businesses and parcels;
- 2) Will improve pedestrian and vehicular circulation in the immediate area as the street vacation will facilitate the implementation of the Third Street Grade Separation project;
- 3) Is unnecessary for present or future public use. If vacated, the street will be quitclaimed and transferred to Riverside County Transportation Commission (RCTC) and to BNSF to accommodate the realignment of the railroad and bridge; and
- 4) Will not alter the primary access to adjacent businesses or to the general public. The street vacation is necessary to implement the Third Street Grade Separation project which will improve vehicular and pedestrian circulation in the area.

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 Public Works Department has secured funding for all fiscal aspects of the project.
4. *Innovation* – The proposed street vacation enhances the aesthetic and security of a neighborhood by facilitating a project for a railroad track grade separation.
5. *Sustainability and Resiliency* – The proposed street vacation is designed to meet the current and future needs of the community.

FISCAL IMPACT:

The total fiscal impact of this action is included in the Third Street Grade Separation project already underway by the Public Works Department. There is no additional impact related to the closures on this report.

Prepared by: Jennifer A. Lilley, Community & Economic Development Director

Certified as to

availability of funds: Kristie Thomas, Assistant Chief Financial Officer/Treasurer

Approved by: Mike Futrell, City Manager

Approved as to form: Jack Liu, Interim City Attorney

Attachments:

1. Resolution of Intent to Hold a Public Hearing
2. Legal Description
3. City Planning Commission Report – December 19, 2024
4. City Planning Commission draft Minutes – December 19, 2024