TO: HONORABLE CITY COUNCIL

FROM: CITY MANAGER DEPARTMENT: ADMINISTRATIVE SERVICES

DATE: MARCH 7, 2005 CMR: 166:05

SUBJECT: 4024 AMARANTA AVENUE – SUMMARY VACATION OF ROADWAY EASEMENT

RECOMMENDATION
Staff recommends that Council adopt the attached Resolution Ordering the Summary Vacation of a 10-foot easement for street right-of-way located at 4024 Amaranta Avenue, Palo Alto.

DISCUSSION
The property owners have requested that the City vacate the 10-foot street right-of-way located on the front of their property at 4024 Amaranta Avenue, Palo Alto. The City was granted a 10-foot right-of-way easement for street purposes in 1963. However, the street easement has never been improved or used for street purposes. The area to be vacated lies within the 20-foot front setback, which is limited to use for landscaping, fences, or driveway. No other properties along this block of Amaranta Avenue have similar 10-foot roadway easements, making it impractical for any City use. In addition, the Barron Park design guidelines recommend that any improvements be made to fit within the existing street right-of-way; therefore, it is unlikely the City would seek an additional 10-foot easement along the frontage of all adjacent parcels to widen the existing 50-foot right-of-way roadway in this area. The Transportation Division has confirmed that there is no future plan or need to widen the street for vehicle or bike/pedestrian purposes. As this right-of-way has never been improved or used as a street and there is no plan or need to do so, the right-of-way constitutes excess right-of-way, which may be summarily vacated in accordance with Section 8834 of the California Streets and Highways Code. Staff notified the City Utilities, Public Works, and Planning departments for the proposal to vacate the street right-of-way. All affected departments reported there were no utilities located within the easement. Accordingly, there is no need to reserve an easement for public facilities.

RESOURCE IMPACT
The easement vacation processing fee of $1,200, as set forth in the Municipal Fee Schedule, has been paid by the property owners.
POLICY IMPLICATIONS
The Planning Department has determined that vacating the right-of-way is in conformity with the Comprehensive Plan. The easement vacation is consistent with Comprehensive Plan policies promoting neighborhood compatibility (Policy L-6) as well as reducing neighborhood street widths as appropriate (Policy T-35).

ENVIRONMENTAL REVIEW
Summary vacation of the 10-foot street right-of-way is exempt from review under the California Environmental Act pursuant to Title 14 California Code of Regulations Section 15305 as a minor alteration in land use limitations.

ATTACHMENTS
Attachment A: Resolution Vacating Roadway Easement at 4024 Amaranta Avenue

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cc: Property Owner, 4024 Amaranta Avenue