TO: HONORABLE CITY COUNCIL

FROM: CITY MANAGER DEPARTMENT: ADMINISTRATIVE SERVICES

DATE: JUNE 13, 2005 CMR:262:05

SUBJECT: RESOLUTION SUMMARILY VACATING A TEN-FOOT WIDE PUBLIC UTILITY EASEMENT AT 4161 DONALD DRIVE

RECOMMENDATION
Staff recommends that Council adopt the attached Resolution Ordering the Summary Vacation of a 10-foot public service easement for utilities located at 4161 Donald Drive.

DISCUSSION
The property owners have requested that the City vacate the 10-foot wide public utility easement (PUE) for overhead electric facilities located on their property at 4161 Donald Drive. The PUE was created by a 1952 subdivision map prior to the annexation of this area to the City of Palo Alto. There have never been any utilities in the PUE. All utilities serving Donald Drive properties are located in the public street right-of-way. Utilities has no future plans for utilities in this location. Staff has notified the Utilities, Public Works and Planning Departments of the proposal to vacate the PUE, and all concur with the vacation. The PUE would not be useful as a non-motorized transportation facility due to its limited use and size. Because this 10-foot PUE has not been used within the last five years and is not necessary for any present or future use, it may be summarily vacated in accordance with Section 8333 of the California Streets and Highways Code.

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. Once the easement is vacated the property owner's interest will no longer be burdened by the easement.

POLICY IMPLICATIONS
The recommendation does not represent any change to City policies and the Planning Department has determined that vacating the Public Utility Easement is in conformity with the Comprehensive Plan.
ENVIRONMENTAL REVIEW
The proposed summary easement vacation of the 10-foot PUE is exempt from review under the California Environmental Quality Act (CEQA) pursuant to Title 14 California Code of Regulations Section 15305 as minor alteration in land use limitations.

PREPARED BY:  

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DEPARTMENT HEAD APPROVAL:  

CARL YEATS
Director, Administrative Services

CITY MANAGER APPROVAL:  

EMILY HARRISON
Assistant City Manager

ATTACHMENTS
Attachment A: Location Map
Attachment B: Resolution Vacating PUE at 4161 Donald Drive.

cc: Mr. and Mrs. Warren Kirsch, 4161 Donald Drive