TO: HONORABLE CITY COUNCIL

FROM: CITY MANAGER        DEPARTMENT: ADMINISTRATIVE SERVICES

DATE: JUNE 16, 2008       CMR: 274:08

SUBJECT: ADOPTION OF A RESOLUTION SUMMARILY VACATING A PUBLIC UTILITY EASEMENT AT 780 ROSEWOOD DRIVE

RECOMMENDATION
Staff recommends that Council adopt the attached Resolution summarily vacating a public service utilities easement located at 780 Rosewood Drive.

DISCUSSION
The owners of the property at 780 Rosewood Drive have requested that the City vacate a 10-foot public utilities easement (PUE) which runs across their property. The owners plan to install a pool in their back yard which will encroach into the 10-foot PUE. Staff has notified AT&T (formerly SBC) Communications, City Utilities, Public Works and the Planning Department of the proposal to vacate the PUE, and all concur with the vacation, subject to a Utilities Department condition requiring the owners to grant the City a new 5-foot PUE to replace the existing 10-foot PUE, and to pay for the relocation of the utilities located within the PUE to be vacated. The owner has granted the new 5-foot PUE, and the utility facilities have been relocated at the owner’s cost. Therefore, the 10-foot PUE to be vacated is not necessary for any present or future use and 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 $1,260.00, as set forth in the Municipal Fee Schedule is not applicable when a new PUE easement is granted in exchange.

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

ATTACHMENTS
Attachment A: Summary Vacation

cc: Property Owners

PREPARED BY: 

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DEPARTMENT HEAD APPROVAL:

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