TO:           HONORABLE CITY COUNCIL

FROM:        CITY MANAGER            DEPARTMENT: ADMINISTRATIVE SERVICES

DATE:        OCTOBER 20, 2008            CMR:404:08

REPORT TYPE:   CONSENT

SUBJECT:   Adoption of a Resolution Summarily Vacating a Portion of the Laguna Oaks Place Street Right-of-Way at 3740 Laguna Avenue

RECOMMENDATION
Staff recommends that Council approve the attached Resolution summarily vacating a portion of the Laguna Oaks Place street right-of-way at 3740 Laguna Drive, Palo Alto.

DISCUSSION
The owner of the property at 3740 Laguna Drive has requested that the City vacate an 11.50-foot portion of the Laguna Oaks Place street right-of-way which runs 108 feet along his southwest property line (see attached map). The area to be vacated shows on the City parcel maps as part of the street right-of-way; however, it is not improved as part of the street and contains mature landscaping which has been in place for many years. The area to be vacated has apparently never been used for street purposes. Were it to be improved and used as such, it would result in the roof line and exterior of the house at 3540 Laguna Drive being right next to the street with little or no setback. Staff has notified the City Utilities, Public Works and Planning departments of the proposal to vacate the street right of way, and all concur with the vacation. The 11.50-foot portion of the right-of-way to be vacated is not necessary for any present or future use, and therefore it may be summarily vacated pursuant to California Streets and Highways Code Section 8334 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, has been paid by the owner.
POLICY IMPLICATIONS
The recommendation does not represent any change to City policies. The Planning Department has determined that the vacation of the 11.50-foot portion of the public right-of-way is in conformity with the Palo Alto Comprehensive Plan.

ENVIRONMENTAL REVIEW
The proposed summary vacation of the 11.50-foot portion of the street right-of-way is categorically exempt from the 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.

PREPARED BY:  
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DEPARTMENT HEAD APPROVAL:  
LALO PEREZ  
Director, Administrative Services

CITY MANAGER APPROVAL:  
JAMES KEENE  
City Manager

ATTACHMENTS
Attachment A: Summary Vacation Resolution

cc: property owner