



COUNCIL AGENDA: 04-26-05

ITEM: 2.14

Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Katy Allen

SUBJECT: SERENITY WAY VACATION

DATE: 04-06-05

Approved

Date

4/13/05

Council District: 10

RECOMMENDATION

Adoption of a resolution of intention to vacate a portion of Serenity Way at Casual Way; and setting a public hearing on May 24, 2005 at 1:30 p.m.
CEQA: Exempt.

BACKGROUND

James Johnson, the adjacent property owner, has submitted an application for the vacation of a portion of Serenity Way (map attached). This vacation is in response to the neighborhood concerns over the illegal dumping and other activities taking place in the right-of-way.

ANALYSIS

This portion of Serenity Way originally served as a temporary access point to Almaden Expressway. With the completion of the Almaden Road frontage road to the north and the construction of the Almaden Expressway soundwall, this portion of Serenity Way is no longer needed as an access point to Almaden Expressway. Staff has determined that this portion of Serenity Way is not needed for public street purposes and can be vacated without adverse effects. The adjacent streets will provide adequate capacity and circulation for vehicles and pedestrians. All concerned utility companies have been contacted and have no objections to the proposed vacation. However, there are public facilities that will require the reservation of a public service easement over portions of the area.

According to the title report submitted, James and Leisa Johnson hold fee title to the area proposed for vacation. Upon vacation, the right-of-way will revert to the adjacent property owner and no further action by staff would be required.

The actions required for the vacation of the subject right-of-way are:

April 26, 2005 at 1:30 p.m.: Council considers the adoption of a resolution of intention which:

1. Declares its intention to vacate the subject portion of Serenity Way at Casual Way;
2. Sets a public hearing May 24, 2005 at 1:30 p.m.;
3. Directs the City Clerk to file the vacation map and advertise said public hearing; and
4. Directs the Director of Public Works to post the site with a Notice of Public Hearing.

May 24, 2005 at 1:30 p.m.: Council conducts a public hearing and considers a resolution of vacation, which vacates the subject portion of Serenity Way at Casual Way.

OUTCOME

The Council declares its intention to vacate a portion of Serenity Way, which allows staff to proceed to prepare for a public hearing on the subject vacation.

PUBLIC OUTREACH

All concerned utility companies have been contacted in writing and have no objection to this vacation on the condition that a public service easement is reserved.

COORDINATION

The required resolution and memorandum have been coordinated with the Planning, Building and Code Enforcement Department, City Manager's Budget Office and the City Attorney's Office.

COST IMPLICATIONS

The Public Works Department collected permit fees in the amount of \$1,225 to process the easement vacation. Vacating the public right-of-way is in alignment with the Council-approved Budget Strategy Expenditure Control section by eliminating a City maintenance obligation and liability in the public right-of-way.

HONORABLE MAYOR AND CITY COUNCIL

04-06-05

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CEQA

Exempt.

Katy Allen

KATY ALLEN

Director, Public Works Department

HF:MA:MD:

Attachment

Serenity Way1st CC_2.doc

LOCATION MAP

SHOWING THE VACATION OF A PORTION OF SERENITY WAY AT CASUAL WAY



AREA TO BE VACATED



EXHIBIT A

