

Memorandum

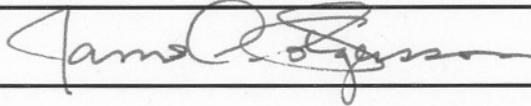
TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Katy Allen

SUBJECT: LENZEN AVENUE
STREET VACATION

DATE: 08-18-04

Approved



Date

8.23.04

Council District: 3

RECOMMENDATION

Conduct a public hearing and adopt a resolution to vacate a portion of Lenzen Avenue between Stockton Avenue and the northeasterly terminus of Lenzen Avenue (located 350 feet east of Stockton Avenue), and reserving a public service easement (PSE)..

CEQA: Exempt.

BACKGROUND

In order to improve service and centralize maintenance for Caltrain, the City Council and the Peninsula Joint Powers (JPB) jointly adopted a Memorandum of Understanding (MOU) in 2001 for the development of a maintenance facility in San José on a portion of the UPRR lands on Coleman Avenue. The maintenance facility is currently under construction on a site located east of Stockton Avenue between Lenzen Avenue and Taylor Street. The purpose of this facility is to improve the efficiency of Caltrain service by centralizing maintenance activities as well as to accommodate service expansion. A Caltrain Maintenance Facility Task Force was created to work with the local communities to address any issues that are raised as a result of the maintenance facility and construction. The task force has been meeting regularly with City and JPB staff since the Council adopted the MOU.

ANALYSIS

Lenzen Avenue is currently a dead-end street east of the Caltrain main line. In order to safely operate the maintenance facility, the intersection of Lenzen Avenue and the main Caltrain tracks were identified for elimination. Consistent with that direction, the JPB has filed an application for street vacation of that portion of Lenzen Avenue east of the Caltrain tracks. JPB will construct a standard City cul-de-sac at the new terminus of Lenzen Avenue just west of the Caltrain tracks.

Staff has determined that this portion of Lenzen Avenue is no longer needed as a public street. All concerned utility companies have consented to the street vacation conditioned upon the City reserving a public service easement over the area proposed for vacation. Stewart Title of California issued a guarantee indicating that the adjacent property owners on both sides of Lenzen Avenue hold title to the portion of Lenzen Avenue to be vacated. The title company could not show ownership of the area shown as Parcel 4 on the attachment. However, that portion of the street contains the Caltrain tracks and is being used for the benefit of Caltrain.

On August 3, 2004, the City Council adopted a resolution, which declared the Council's intention to vacate this portion of Lenzen Avenue. The resolution included a plat map showing the subject right-of-way proposed to be vacated, set the public hearing for September 7, 2004 at 1:30 p.m. and directed the Director of Public Works to post the site with a Notice of Vacation.

No new information regarding this vacation has been received since the August 3, 2004 Council meeting.

PUBLIC OUTREACH

The Task Force held two public meetings on August 9 and August 23, 2000 to receive public input on the development of the CEMOF site and the MOU. The MOU was also made available for public review through the City website.

All concerned utility companies have been contacted in writing and have no objection to this vacation.

COORDINATION

The required resolution has been reviewed by the City Attorney's Office. The vacation has been coordinated with the appropriate public utility companies and the Planning Commission recommends approval of the vacation. This memo has been coordinated with the Departments of Planning, Building and Code Enforcement, Transportation, the Office of Economic Development and the City Manager's Budget Office.

COST IMPLICATIONS

Vacating a City right-of-way is in alignment with the Mayor's Budget Strategy Expenditure Control Strategy section by eliminating a City maintenance obligation and liability in a public street.

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CEQA

This project is exempt from environmental review.

Katy Allen

KATY ALLEN

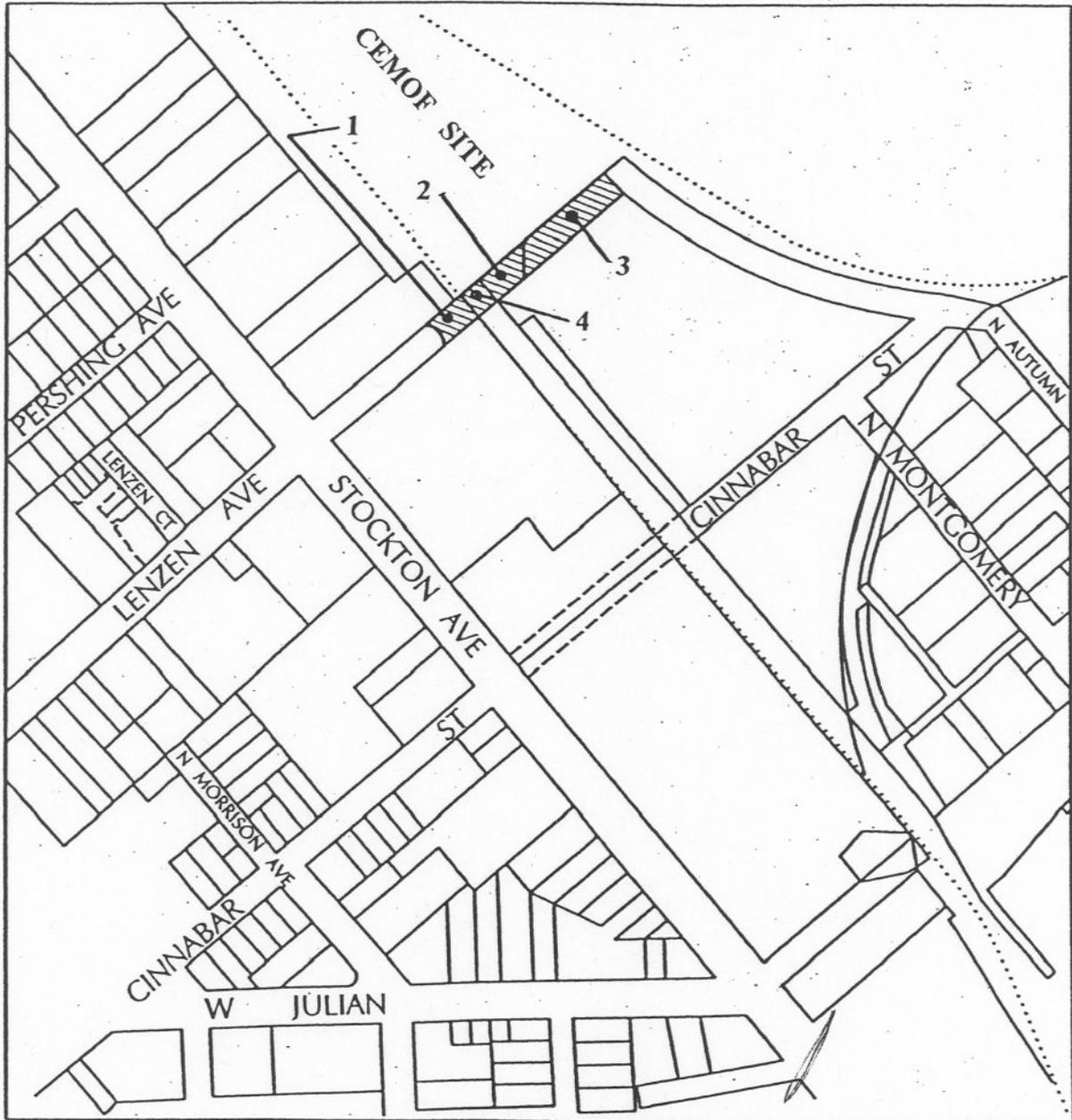
Director, Public Works Department

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LOCATION MAP

SHOWING THAT PORTION OF LENZEN AVENUE TO BE VACATED
AND RESERVING A PUBLIC SERVICE EASEMENT OVER THE ENTIRE
VACATED AREA



AREA TO BE VACATED

