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2017 OCT 12 PM 1:59

AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Ryan Russo
Director, DOT

SUBJECT: Union Street Right of Way Vacation,
West Grand to 21st Street

DATE: August 15, 2017

City Administrator Approval

Date:

10/11/17

RECOMMENDATION

Staff Recommends That The City Council Receive An Informational Report On The Proposed Vacation Of Union Street Right Of Way From West Grand Avenue To 21st Street Requested By East Bay Municipal Utility District (EBMUD).

EXECUTIVE SUMMARY

This informational report is prepared relative to a request from East Bay Municipal Utility District (EBMUD) to vacate the street right of way fronting EBMUD's Adeline Maintenance Facility on Union Street from West Grand Avenue to 21st Street. The street right-of-way vacation provides EBMUD with additional parking space for equipment, employee parking, and improves operations.

A future staff report and resolution will be presented to the City Council for final approval of street right of way vacation when EBMUD completes the vacation process in accordance with the City and State requirements. EBMUD owns the abutting properties fronting the subject street right of way vacation. EBMUD has requested that staff prepare this informational report to solicit public comments on the proposed vacation prior to filing a formal application for street right of way vacation. Refer to **Attachment A** to this Report for the Right-of-Way-Vacation Map.

BACKGROUND / LEGISLATIVE HISTORY

EBMUD (Applicant) applied for the street right of way vacation with Planning Department (permit number ZP170007). Planning Department found the request in conformance with the City's General Plan in accordance with Section 65402 of the California Government Code and approved the Applicant's request for street right-of-way vacation. In accordance with the Streets and Highway Code section 8313, the approval by Planning Department allows the City Council to consider the Applicant's request for street right-of-way vacation.

The applicant is required to advertise the plan for street right of way vacation in a local newspaper, post notifications along the street, and hold a public meeting in accordance with the Streets and Highway Code section 8323 through 8325.

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ANALYSIS AND POLICY ALTERNATIVES

City's Land Use and Transportation Element (LUTE) of the General Plan classifies Union Street as a Local Street providing access to abutting properties and not intended to move heavy traffic through the City or contribute to the regional street network. Vacating Union Street right-of-way from West Grand Avenue to 21st Street would not conflict with LUTE's transportation related policies nor would it hinder traffic through the broader City or regional transportation network.

The Applicant is required to notify all public and private utility companies and arrange for utilities to be relocated or accommodated within the proposed vacated street right-of-way while maintain uninterrupted service. The Applicant is also required to purchase, acquire or own the underlying-fee (ownership) of the land within the proposed street right-of-way vacation.

FISCAL IMPACT

This is an informational report and there is no fiscal impact to the City. All costs associated with street right-of-way vacation including construction and permits will be paid for by the Applicant. Permit fees are covered in the Master Fee Schedule.

PUBLIC OUTREACH / INTEREST

This item does not require special public outreach other than the required posting on the City's website.

COORDINATION

Planning Department has approved the Applicant's request.

SUSTAINABLE OPPORTUNITIES

Economic – No significant impact on the economy is identified.

Environmental – No significant impact on the environment is identified.

Social Equity – No significant impact on social equity is identified.

CEQA

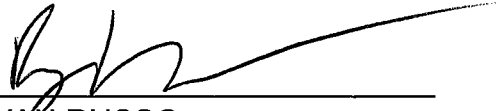
The California Environmental Quality Act ("CEQA") and the CEQA Guidelines exempt specific types of projects from environmental review. The following CEQA exemption apply to right of way vacation under CEQA Guidelines section 15183 (projects consistent with a Community Plan, General Plan, or Zoning), and 15061(b)(3) (no significant effect on the environment).

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends that the City Council Receive an Informational Report On Vacation Of Union Street Right Of Way From West Grand Avenue To 21st Street Requested By East Bay Municipal Utility District (EBMUD).

For questions regarding this report, please contact Kevin Kashi, Engineering Design and Right-Of-Way Supervisor (510) 238-7116.

Respectfully submitted,



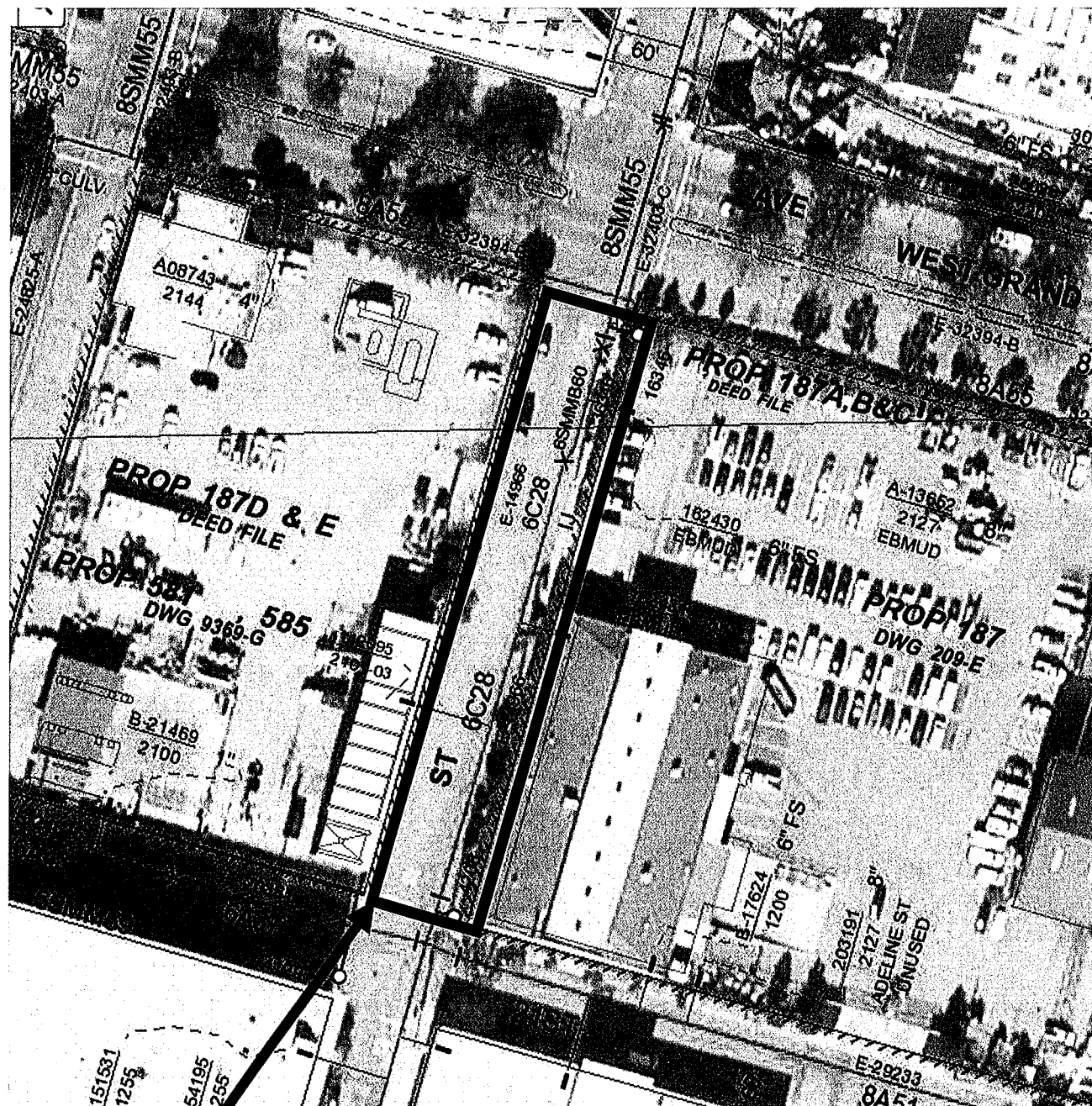
RYAN RUSSO
Director, Department of Transportation

Reviewed by:
Wladimir Wlassowsky, P.E., Interim Assistant
Director, Department of Transportation

Prepared by:
Kevin Kashi, P.E., Supervising Civil Engineer
Engineering Design and R.O.W. Management
Division, Department of Transportation

Attachment: Right of Way Vacation Map

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Proposed Street right of way to be vacated