



City of Sunnyvale

Agenda Item-No Attachments (PDF)

File #: 15-0460, Version: 1

REPORT TO COUNCIL

SUBJECT

Adopt a Resolution of Intention to Vacate Four Public Utility Easements at 520-592 East Weddell Drive and the Lands of the City and County of San Francisco and Set the Date of July 14, 2015 for Public Hearing

BACKGROUND

On April 28, 2014, the City Planning Commission conditionally approved a special development permit for a 465-unit residential apartment project (the "Project") at 520-592 East Weddell Drive. There are four existing Public Utility Easements (PUEs) within the Project site and the Lands of the City and County of San Francisco, a parcel in the middle of the Project (Attachment 1).

The PUEs include a 5-foot PUE on two parcels per Official Record (O.R.) Book 6545 Page 606, a 46-foot PUE on two parcels per O.R. Book D024 Page 211, a 10-foot PUE on one parcel per O.R. Book 348 Page 129, and a 51-foot PUE on two parcels and on the Lands of the City and County of San Francisco per O.R. Book C933 Page 170, all as recorded with the Santa Clara County recorder's office (Attachment 2). The vacation of the PUEs is one of the Project's Conditions of Approval to allow for construction of buildings within the Project site.

EXISTING POLICY

General Plan, Chapter 3, Goal LT-4 - Quality Neighborhoods and Districts
Policy LT4-4: Preserve and enhance the high quality of residential neighborhoods

ENVIRONMENTAL REVIEW

The City Council certified the Environmental Impact Report for the Project on March 25, 2014. Adoption of the subject resolution of intention to vacate four existing PUEs is consistent with the Project's Conditions of Approval. No further environmental analysis is required for the easement vacation.

DISCUSSION

As part of the Project, the existing public facilities within the PUEs will be removed and relocated. The PUEs are no longer needed for present or prospective public use. All concerned utility companies have been contacted in writing and have no objection to the proposed vacation (Attachment 3). The City and County of San Francisco has also been coordinated with in regards to the PUE vacation on their property. New easements will be established for all relocated public facilities.

Pursuant to the California Streets and Highways Code Section 8320*et seq.*, the City Council may initiate a proceeding and set a hearing to vacate public easements. Pursuant to the California Streets and Highways Code Section 8316, one or more public easements, whether or not contiguous, may

be included and vacated in the same proceeding. City Council's adoption of a Resolution of Intention constitutes the proceeding for easement vacation (Attachment 4).

FISCAL IMPACT

There is no fiscal impact as a result of this easement vacation.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City's website.

STAFF RECOMMENDATION

Adopt a Resolution of Intention to vacate four Public Utility Easements at 520-592 East Weddell Drive and the Lands of the City and County of San Francisco and set the date of July 14, 2015 for public hearing.

Prepared by: Judy Chu, Senior Engineer
Reviewed by: Manuel Pineda, Director, Public Works
Reviewed by: Robert A. Walker, Assistant City Manager
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Project Site
2. Existing Public Utility Easements to be vacated
3. Utility Company Consent Letters
4. Resolution of Intention