

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
FROM: PATRICK STREETER, SENIOR PLANNER
PLANNING & ECONOMIC DEVELOPMENT

SUBJECT: PRESS DEMOCRAT BUILDING ROW VACATION - REQUEST TO
SUMMARILY VACATE APPROXIMATELY 756 SQUARE FEET OF
PUBLIC RIGHT-OF-WAY FOR MENDOCINO AVENUE AND
ROSS STREET OCCURRING BENEATH THE PRESS
DEMOCRAT BUILDING FOOTPRINT FOR THE PROPERTY
LOCATED AT 427 MENDOCINO AVENUE – FILE NO. VAC16-002

AGENDA ACTION: RESOLUTION

RECOMMENDATION

It is recommended by the Planning and Economic Development Department that the Council, by resolution, approve the summary vacation of a portion of public right-of-way for Mendocino Avenue and Ross Street currently beneath the building footprint of 427 Mendocino Avenue.

EXECUTIVE SUMMARY

On February 2, 2016, the City received an application requesting a vacation of right-of-way to clear title to a portion of City-owned right-of-way under the existing Press Democrat building on Mendocino Avenue. The request is for an area of right-of-way that has not been available for public use since the existing building was constructed in 1974. Should the request be approved, the vacated right-of-way will remain within the building footprint and be owned in fee by the applicant, Cornerstone Properties, LLC. There would be no change to the existing sidewalks or curbs along Mendocino Avenue or Ross Street.

BACKGROUND

1. Surrounding Land Uses

North:	Ross Street right-of-way, with parking and commercial uses beyond
South:	Parking facilities
East:	Mendocino Avenue right-of-way, with commercial uses beyond
West:	Parking facilities

The project is located in downtown Santa Rosa along a major arterial. The area surrounding the requested right-of-way vacation is completely developed and primarily comprised of retail establishments, restaurants, offices, and parking facilities.

2. Existing Land Use

The subject right-of-way bounds the east and north sides of 427 Mendocino Avenue. A three story brick building, containing offices of the Press Democrat newspaper, currently occupies the parcel. The existing building was constructed as part of an addition in 1974 and occupied in 1975. The footprint of the existing building projects approximately one-half foot into the right-of-way along Mendocino Avenue and three and three-quarter feet into the right-of-way along Ross Street. Both Mendocino Avenue and Ross Street are fully improved in the project vicinity, with sidewalks, curbs, and gutters.

3. Project Description

The applicant, Cornerstone Properties, LLC. is requesting a vacation of right-of-way in order to clear title to the portion of City right-of-way that lies under the existing building on the subject parcel. There is no change in land use proposed as the use of the vacated right-of-way would remain in the building footprint. No changes are proposed for the existing sidewalks or curbs along Mendocino Avenue or Ross Street. Upon vacation, the City would have no further rights to the right-of-way, even if, in the future, the building is modified or removed.

PRIOR CITY COUNCIL REVIEW

Not applicable

ANALYSIS

Vacation procedures are established by the California Public Streets, Highways, and Service Easements Vacation Law, which is implemented through the California Streets and Highways Code (Code). Pursuant to Section 8331 of the Code, the City may summarily vacate public right-of-way if it has been impassable for five consecutive years and no public money has been expended for its maintenance during that period. The subject right-of-way has been impassable since the existing building was constructed in 1974. Since the right-of-way lies beneath the building footprint, no maintenance activities have taken place. Based on these findings, it is staff's determination that a summary vacation of right-of-way is the appropriate procedure by which to address the application.

PRESS DEMOCRAT BUILDING ROW VACATION - REQUEST TO SUMMARILY VACATE APPROXIMATELY 756 SQUARE FEET OF PUBLIC RIGHT-OF-WAY FOR MENDOCINO AVENUE AND ROSS STREET OCCURRING BENEATH THE PRESS DEMOCRAT BUILDING FOOTPRINT FOR THE PROPERTY LOCATED AT 427 MENDOCINO AVENUE – FILE NO. VAC16-002

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FISCAL IMPACT

Approval of this action would convert 756 square feet of inaccessible right-of-way into taxable real property.

ENVIRONMENTAL IMPACT

This action is categorically exempt from the California Environmental Quality Act (CEQA) because it involves a minor alteration in land use limitations, pursuant to CEQA Guidelines section 15305.

ATTACHMENTS

- Attachment 1 – Disclosure Form
- Attachment 2 – Location Map
- Attachment 3 – Aerial Image
- Attachment 4 – Project Plans
- Resolution – Summary Vacation/Exhibit A

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