

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
FROM: KRISTINAE TOOMIANS, SENIOR PLANNER
PLANNING AND ECONOMIC DEVELOPMENT
SUBJECT: REQUEST FOR SUMMARY VACATION OF ONE (1) 341-FOOT
BY 12-FOOT PUBLIC SERVICE EASEMENT, LOCATED AT 431,
437, 439, 465 A STREET AND 506, 512, 516, 520, 600, 608, AND
612 MORGAN STREET, ASSESSOR'S PARCEL NUMBERS 010-
041-001, 004, 005, 008, 009, 010, 011, 013, 014, 015, 016, 017,
018, 019, 020 – CARITAS VILLAGE (FILE NO. VAC21-004)

AGENDA ACTION: RESOLUTION

RECOMMENDATION

It is recommended by the Planning and Economic Development Department that the Council, by resolution, approve a summary vacation of a 341-foot by 12-foot (approximately 4,210-square-foot), public service easement that has been partially abandoned and relocated for the Caritas Village project, which is located on a downtown City block, bordered by 7th Street to the north, A Street to the east, 6th Street to the south, and Morgan Street to the west.

EXECUTIVE SUMMARY

The applicant seeks a summary vacation of a public service easement (PSE) that has been partially abandoned and relocated. The easement was reserved for public utilities within a now vacated alley right of way. All public and private facilities that were located within the easement have been removed and have been either abandoned or relocated. Vacating the PSE is necessary for the orderly development of the approved Caritas Village project.

BACKGROUND

Caritas Village is an approved project that includes the redevelopment of a city block into a comprehensive family and homeless support services facility/emergency shelter (Caritas Center) to be operated by Catholic Charities, and a 126-unit affordable housing development (Caritas Homes) to be operated by Burbank Housing.

On May 3, 2021, the applicant submitted an application for summary vacation of a public service easement (PSE) that has been partially abandoned and relocated. The

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PSE was included in the tentative map that the City Council approved with the Caritas Village project. The easement was reserved for public utilities within a now vacated alley right of way. All public and private facilities that were located within the easement have been removed and have been either abandoned or relocated. Vacating the PSE is necessary for the orderly development of the approved Caritas Village project.

PRIOR CITY COUNCIL REVIEW

On March 3, 2020, the City Council: 1) certified the Environmental Impact Report; 2) adopted the Findings of Fact and Statement of Overriding Considerations, for the Caritas Village project; 3) approved a General Plan Amendment to change the land use designation from Medium Density Residential and Retail & Business Services to Transit Village Mixed Use; 4) approved a Specific Plan Amendment to include all project parcels within the Courthouse Square Sub-Area and specified the roundabout diameter widths of 80-feet at 6th & A Street and 7th & A Street intersections; 5) introduced an ordinance to rezone the subject project site to TV-M-H-SA (Transit-Village Mixed); 6) approved a Minor Conditional Use Permit for an emergency shelter; and 7) approved a Tentative Map for Caritas Village.

On October 13, 2020, the City Council adopted the Downtown Station Area Specific Plan (DSASP). The DSASP amended the General Plan designation for the approved project site to Core Mixed Use (CMU).

ANALYSIS

Vacation procedures are established by the state law. Pursuant to Streets and Highways Code Section 8333, the City may summarily vacate a public service easement in any of the following cases:

- (a) The easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation.
- (b) The date of dedication or acquisition is less than five years, and more than one year, immediately preceding the proposed vacation, and the easement was not used continuously since that date.
- (c) The easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement.

Pursuant to Section 8333(c), the City may summarily vacate public service easements if the easement has been superseded by relocation, or has been determined to be excess by the easement holder, and there are no other public facilities located within the easement. In the case of the subject PSE, the easement has been superseded and any utilities within the easement have been relocated.

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FISCAL IMPACT

Not applicable.

ENVIRONMENTAL IMPACT

On March 3, 2020, the City Council certified an Environmental Impact Report (EIR) pursuant to the California Environmental Quality Act (CEQA) and adopted Findings of Fact and Statement of Overriding Considerations for the Caritas Village project which necessitates this summary vacation. Pursuant to State CEQA Guidelines § 15162, no additional environmental review is required, as there have been no major revisions to the project and there is no new information showing the project will result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

In addition, this action is categorically exempt from CEQA because it meets the description of Minor Alterations in Land Use Limitations, pursuant to CEQA Guideline Section 15305. Specially, the project does not result in any changes to land use or density and the project site has an average slope of less than 20 percent.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable.

NOTIFICATION

No public notice is required for the summary vacation of the proposed public service easement.

ATTACHMENTS

- Attachment 1 – Disclosure Form
- Attachment 2 – Location Map
- Attachment 3 – Project Description
- Attachment 4 – Council Resolution No. 9325 – Vacation of Alley, April 28, 1970
- Resolution – Summary Right-Of-Way Vacation
- Exhibits A – Legal Description for PSE Vacation
- Exhibit B – Plat to Accompany Legal Description

CONTACT

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