

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
FROM: ADAM ROSS, CITY PLANNER
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
SUBJECT: REQUEST FOR SUMMARY VACATION OF FOUR PUBLIC
UTILITY EASEMENTS TO RELOCATE FOR THE REBUILD OF
THE HOPPER LANE APARTMENTS LOCATED AT 1163
HOPPER AVENUE APN 015-360-055 – FILE NO. VAC19-001

AGENDA ACTION: RESOLUTION

RECOMMENDATION

It is recommended by the Planning and Economic Development Department that the Council, by resolution, approve a Summary Vacation of four (4) 15-foot wide Public Utility Easements for Sewer and Water services located on the property of 1163 Hopper Avenue, to accommodate the relocation of the Public Utility Easements on the site to rebuild a portion of the Hopper Lane Apartments, burned in the 2017 Wildfires.

EXECUTIVE SUMMARY

The property owner of 1163 Hopper Avenue (the subject site), seeks Council approval of a Summary Vacation of four (4) Public Utility Easements containing Sanitary Sewer and Water Services, approximately 10,000-square feet, and 15 feet wide, located at 1163 Hopper Avenue, to facilitate the rebuild of 78 units of the Hopper Lane Apartments, a 120-unit multi-family apartment complex in the northwest quadrant of Santa Rosa. New 20-foot wide Public Utility Easements will be relocated onsite with the new layout of the 78 units and dedicated to the City. In addition, there are no other public facilities located within the easement.

PROJECT BACKGROUND

On October 8, 2017, and continuing for days thereafter, a series of wildfire events, identified as the Tubbs and Nuns Fires (Fires) burned over 90,000 acres in Sonoma County, and damaged or destroyed approximately 3,000 homes and 100 commercial structures within the City of Santa Rosa.

On October 24, 2017, the City Council adopted Ordinance No. ORD-2017-018 adding Section 20-28.100, Resilient City (-RC) Combining District, to the Zoning Code to facilitate rebuilding and implement resiliency initiatives to those parts of the City most

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severely impacted by the wildfires. The Council also adopted Ordinance No. ORD-2017-019, rezoning properties directly impacted by the wildfires to add the District to the base zoning district of each parcel.

The majority (78 of 120 units) of the Hopper Lane Apartments (Project) were destroyed in the Fires. On October 8, 2018, Michael Orwitz submitted a Design Review Application to rebuild the 78 units of the Hopper Lane Apartments (DR18-066) under the Resilient City Development Measures. On November 29, 2018, the project was presented as an item to the Waterways Advisory Committee to provide comments and recommendations for the Project. On January 7, 2019, the Design Review Permit Application was approved by the Director of Planning and Economic Development.

On July 1, 2019, Michael Orwitz submitted for a Vacation Summary for four (4) Public Utility Easements containing Sanitary Sewer and Water Services to accommodate the new layout of the approved Project.

PRIOR CITY COUNCIL REVIEW

None.

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 8333 of the Code, the City may summarily vacate any public service easement if it has been superseded by relocation and there are no other public facilities within the easement.

The Public Utility Easements requested to be vacated are no longer compatible with the Project site in that the new multi-family buildings will be placed over the easements, which is not allowed per Zoning Code Section 20-30.110(B). 78 of 120 units from the Hopper Lane Apartments were destroyed in the 2017, Wildfires and the City is allowing the Summary Vacation of the Public Utility Easements before their relocation is finalized in order to provide the replacement of the destroyed units. Before Building Permits are issued for the Hopper Lane Apartments, new 20-foot Public Utility Easements shall be relocated, dedicated, and installed to the satisfaction of the City of Santa Rosa. This Summary Vacation is only valid when the Applicant has dedicated new Public Utility Easements on the project site, therefore compliant with Section 8333.

General Plan

The General Plan land use designation for the subject site is Medium Density Residential, which allows single-family detached, single-family attached, and multifamily developments. The proposed public service easements vacation will allow for the new layout of the Hopper Lane Apartments and new 20-foot Public Utility Easements will be dedicated throughout the site.

Zoning

The subject site is zoned R-3-18 – Multi-Family Residential, which is applied to areas of the City appropriate for residential neighborhoods with medium and higher residential densities, to provide home rental and ownership opportunities, and to provide a full range of choices in housing types to improve access to affordable housing. The R-3-18 Zoning District is consistent with and implements the Medium Density Land Use Designation of the General Plan. Vacating the public easements will allow for the proposed Hopper Lane Apartments to be constructed over the area of the existing easements.

FISCAL IMPACT

Approval of the requested Summary Vacations would not have an impact on the City's General Fund.

ENVIRONMENTAL IMPACT

The vacation of the subject Public Utility Easements is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, in that the proposal consists of minor alterations in land use limitations.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable for this project.

NOTIFICATION

No public hearing notice is required for the proposed Summary Vacations. This item was noticed on the Agenda for the August 6, 2019, meeting.

ISSUES

The City has no unresolved issues with the proposed project.

ATTACHMENTS

Attachment 1 – Disclosure Form
Attachment 2 – Location Map
Attachment 3 – Vacation of Public Utility Easement (DN 83003750)
Attachment 4 – Vacation of Public Utility Easement (3097 OR 78)
Attachment 5 – Vacation of Public Utility Easement (2198 OR 893)
Attachment 6 – Vacation of Public Utility Easement (3068 OR 744)
Resolution – Summary Public Utility Easements Vacation

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CONTACT

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