

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
FROM: SUZANNE HARTMAN, CITY PLANNER
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
SUBJECT: REQUEST FOR SUMMARY VACATION OF ONE PUBLIC
SANITARY SEWER ACCESS EASEMENT, LOCATED AT 4332
HIGHWAY 12 (SONOMA HIGHWAY), PARCEL NOS. 032-010-009
AND 032-010-043 (FILE NO. VAC22-002)

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 public sanitary sewer access easement located at 4332 Highway 12 to allow the development of Storage Pro II, a 3-story 30-unit apartment building and a 3-story self-storage facility.

EXECUTIVE SUMMARY

The applicant seeks a summary vacation of a sanitary sewer access easement that has been relocated. Vacating the easement is necessary for the orderly development of the approved Storage Pro II project.

BACKGROUND

Storage Pro II is an approved project that involves the development of a 3-story, 30-unit apartment building and a 3-story self-storage facility located at 4332 Highway 12 (Sonoma Highway). A Conditional Use Permit for the proposed development was approved on September 19, 2019, and a Design Review Permit was approved on November 7, 2019.

On October 7, 2022, the Planning and Economic Development received an application seeking a summary vacation of the subject easement. Vacating the easement is necessary for the construction of the project because no structures are allowed within sanitary sewer access easements.

PRIOR CITY COUNCIL REVIEW

Not applicable.

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- (c) The easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement.

Pursuant to Section 8333(c), City staff asserts that the sanitary sewer access easement has been superseded by relocating a new public sanitary sewer access easement over the new drive aisles from Highway 12 (Sonoma Highway) to the existing Los Alamos Trunk Sewer. There are no other public facilities located within the easement proposed to be summarily vacated.

The new (relocated) sanitary sewer access easement was granted by easement deed on April 13, 2022, (Doc. No. 2022-026412).

FISCAL IMPACT

Not applicable.

ENVIRONMENTAL IMPACT

On September 19, 2019, the Zoning Administrator adopted Resolution CUP18-008-A adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Storage Pro II project. Pursuant to State CEQA Guidelines Section 15162, no additional environmental review is required, as there have been no major revisions to the project and there is no new information showing that the project proposes a substantial increase in the severity of previously identified significant effects.

REQUEST FOR SUMMARY VACATION OF ONE PUBLIC SANITARY SEWER
ACCESS EASEMENT, LOCATED AT 4332 HIGHWAY 12 (SONOMA HIGHWAY),
PARCEL NOS. 032-010-009 AND 032-010-043 (FILE NO. VAC22-002)
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NOTIFICATION

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

ATTACHMENTS

- Attachment 1 – Disclosure Form
- Attachment 2 – Location Map
- Attachment 3 – Project Description and Required Exhibits
- Attachment 4 – Storage Pro II Signed Resolutions dated September 19, 2019, and November 7, 2019
- Attachment 5 – Easement Deed for Relocated Public Sewer Access
- Attachment 6 – Legal Description for Summary Vacation
- Attachment 7 – Plat to Accompany Legal Description
- Resolution/Exhibits A and B

PRESENTER

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