

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
FROM: JASON NUTT, ASSISTANT CITY MANAGER
SUBJECT: DECLARATION OF 2610 FRANZ KAFKA AVENUE AS SURPLUS
LAND AND 655 1ST STREET AS EXEMPT SURPLUS LAND
AGENDA ACTION: RESOLUTIONS

RECOMMENDATION

It is recommended by Real Estate Services and the Fire Department for 2610 Franz Kafka Avenue and by Real Estate Services and the Transportation and Public Works Department for 655 1st Street that the Council, by two separate resolutions: 1) declare 2610 Franz Kafka Avenue (APN 044-051-046) as surplus land; 2) declare 655 1st Street (APN 009-073-018) as exempt surplus land pursuant to Government Code Section 54221(f)(1)(B); and 3) authorize the City Manager or their designee to submit a Notice of Availability for 2610 Franz Kafka Avenue, pursue economic development opportunities for 655 1st Street, and take all necessary actions to comply with the Surplus Lands Act, as applicable.

EXECUTIVE SUMMARY

The Surplus Land Act (Government Code sections 54220 et seq., as amended) governs the disposal of "surplus land" by local agencies, as defined in Government Code section 54221. In alignment with the Surplus Land Act, housing, economic development, maintenance goals, and fiscal responsibility, City staff began reviewing City-owned properties in 2023 to identify land that no longer necessary for the City's use. These surplus opportunities are periodically brought to the Council for review. Following this process, and in conjunction with Fire Department coverage studies, staff has identified two parcels for the Council's consideration:

1. **2610 Franz Kafka Avenue:** Recommended for declaration as surplus land, with preparation of a Notice of Availability and compliance with the Surplus Lands Act.
2. **655 1st Street:** Recommended for declaration as exempt surplus land, with authorization for staff to explore economic development opportunities.

BACKGROUND

City staff has conducted a full review of the parcels at 2610 Franz Kafka Avenue and 655 1st Street, assessing their acquisition, usage, and future needs. Both parcels meet surplus criteria and are no longer needed for the City's use.

2610 Franz Kafka Avenue:

Acquired by donation in 1991 and 1998, without reservation or condition, including, but not limited to, the right for the City to determine in its sole discretion to use the property and the right to receive all benefits from the property, including alienation of the property for money. The City had hoped to use the site for a future additional fire station, but Fire Department studies later determined the location unsuitable due to response time limitations. Staff recommends declaring the site surplus land to pursue housing development, as per the Surplus Lands Act (SLA), and using the proceeds toward acquiring or developing a fire station in a more appropriate location.

655 1st Street:

Acquired in 2009 for a future civic center location, the site has become underutilized due to required upgrades and substantial deferred maintenance. Staff recommends declaring the site exempt surplus land (due to parcel size) and exploring economic development opportunities.

PRIOR CITY COUNCIL REVIEW

Not applicable.

ANALYSIS

Under the Surplus Lands Act (SLA), local agencies must make surplus land available for affordable housing before selling or leasing it. Properties must be classified as "exempt surplus land" or "surplus land" prior to disposal:

- **2610 Franz Kafka Avenue (surplus land):**
The parcel exceeds one-half acre and is suitable for independent development. After Council declaration of the property as "surplus land," staff will prepare a Notice of Availability (NOA) to interested housing sponsors. Responses will be reviewed for compliance with the SLA affordability requirements, and staff will negotiate in good faith for 90 days. If the land is sold to a proposer under the NOA, a minimum of 25% of any developed housing units on the site will be required to meet affordable housing criteria. If the City does not sell the property pursuant to the SLA process, it will be free to market and sell the property

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through other means, provided that if ten or more housing units are constructed on the site, 15% of the units must qualify as affordable.

- **655 1st Street (Exempt surplus land):**
Due to its small size (under ½ acre) and maintenance costs, staff recommends declaring it exempt surplus land under Government Code Section 54221(f)(1)(B). This would allow the City to dispose of the property outside the SLA process and pursue development opportunities.

FISCAL IMPACT

Approval of this action does not have a fiscal impact on the General Fund.

ENVIRONMENTAL IMPACT

Pursuant to CEQA Guidelines Section 15378, the proposed action is not a “project” subject to the California Environmental Quality Act (CEQA) because the process of declaring parcels surplus is not an act which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. In the alternative, the proposed action is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the project may have a significant effect on the environment.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable.

NOTIFICATION

Not applicable.

ATTACHMENTS

- Resolution 1- Non-Exempt- 2610 Franz Kafka Avenue, APN 044-051-046
- Resolution 2- Exempt- 655 1ST Street, APN 009-073-018

PRESENTER

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