



Legislation Text

File #: 19-0589, Version: 1

AGENDA REPORT REQUEST FOR CITY COUNCIL ACTION

DATE: 06/19/2019

TO: Honorable Mayor and City Council Members

FROM: Public Works Department

SUBJECT:

City Council consideration of Resolution No. 2019-046, ordering the summary vacation of a portion of the west side of Lincoln Avenue, south of Rincon Street and rescinding Resolution No. 2018-104.

RECOMMENDED ACTION:

That the City Council adopt Resolution No. 2019-046, ordering the summary vacation of a portion of the west side of Lincoln Avenue, south of Rincon Street and rescinding Resolution No. 2018-104.

ANALYSIS:

Corona Industrial Park, LLC, proposes to construct three (3) industrial buildings totaling 727,316 square-feet at 1138 West Rincon Street. The project is located at the former site of the Golden Cheese Company of California plant located on the southwest corner of West Rincon Street and North Lincoln Avenue in the M-2 (General Manufacturing) Zone, as shown on Exhibit "A."

The applicant has requested that a portion of the existing right-of-way along the westerly side of North Lincoln Avenue between West Rincon Street and the Burlington Northern Santa Fe (BNSF) Railway, as described in Exhibit "B," and shown on Exhibit "C," be vacated to permit the optimization of the project site and reduce maintenance costs for the City of Corona. The right-of-way was dedicated to the City for street and public utility purposes as part of Parcel Map 16719 recorded on November 6, 1980, in anticipation of the future Lincoln Avenue grade separation. During the design and construction of the grade separation, in which Lincoln Avenue was elevated over the existing BNSF facilities, the alignment of the road was shifted towards the east which resulted in the centerline of the street not being centered with the dedicated right-of-way. Because of this alignment shift, the westerly portion of the right-of-way consist primarily of a landscaped downslope. In connection with the City's approval of the project, the developer is required to process a Street Vacation Application.

Staff has reviewed the vacation request and has determined the vacation of the portion of right-of-way along the westerly side of North Lincoln Avenue between West Rincon Street and the BNSF

Railway is a necessary step in the development of the project. The proposed vacated right-of-way consists of vegetated down slope that is not part of the pedestrian or vehicular travel way. The existing road section currently consists of an 88-foot right-of-way which is consistent with the secondary arterial road classification as specified in the General Plan. Due to the existing roadway alignment not matching with the right-of-way, the City will reserve the easterly down slope as public right-of-way by executing a Quitclaim Deed.

Because of the vacation, the existing street section will include the parkway, and the sidewalks will remain as is, only the vegetated down slope located behind the sidewalk will be vacated. The applicant will provide to the City a separate easement through their property for access to the North Lincoln Avenue Bridge abutments. Staff has also determined there are no other public facilities located within the easement area to be vacated.

California Streets and Highways Code Section 8333(c) authorizes the summary vacation of public service easements determined to be excess, so long as there are no other public facilities located within the area to be vacated. Adoption of the attached resolution would order the summary vacation of the portion of right-of-way along the westerly side of North Lincoln Avenue, south of West Rincon Street deemed excess as described in Exhibit "B," and shown on Exhibit "C."

On September 19th, 2018, City Council authorized the adoption of Resolution No. 2018-104, ordering the summary vacation of Lincoln Avenue, south of Rincon Street. The resolution that was recorded as Instrument No. 2018-0379787, contained an error in the legal description for the property to be vacated and therefore must be rescinded.

COMMITTEE ACTION:

Not applicable.

STRATEGIC PLAN:

Not applicable.

FISCAL IMPACT:

All costs associated with this action have been paid for by the applicant.

ENVIRONMENTAL ANALYSIS:

This action is exempt pursuant to Section 15061(b)(3) of the Guidelines for the California Environmental Quality Act (CEQA), which states that a project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This action merely approves the vacation of right-of-way where such right-of-way is no longer needed, and there is no possibility that approving this vacation will have a significant effect on the environment. Therefore, no environmental analysis is required.

PREPARED BY: TOM KOPER, P.E., ASSISTANT PUBLIC WORKS DIRECTOR

REVIEWED BY: NELSON D. NELSON, P.E., PUBLIC WORKS DIRECTOR

REVIEWED BY: KERRY D. EDEN, ASSISTANT CITY MANAGER/ADMINISTRATIVE SERVICES DIRECTOR

REVIEWED BY: MICHELE NISSEN, ASSISTANT CITY MANAGER

SUBMITTED BY: MITCHELL LANSDELL, ACTING CITY MANAGER

Attachments:

1. Exhibit "A" - Project Location
2. Exhibit "B" - Legal Description
3. Exhibit "C" - Plat Map
4. Resolution No. 2018-104
5. Resolution No. 2019-046
6. Rescission and release of Recorded Instrument