



## Legislation Text

---

File #: 20-0590, Version: 1

---

### **AGENDA REPORT REQUEST FOR CITY COUNCIL ACTION**

DATE: 07/15/2020

TO: Honorable Mayor and City Council Members

FROM: Public Works Department

**SUBJECT:**

Public Hearing for City Council consideration of Resolution No. 2020-089, ordering the vacation of a portion of public right-of-way fronting 210 Radio Road, south of the 91-freeway and north of the existing terminus of Radio Road.

**RECOMMENDED ACTION:**

**That the City Council** adopt Resolution No. 2020-089, ordering the vacation of a portion of public right-of-way fronting 210 Radio Road, south of the 91-freeway and north of the existing terminus of Radio Road.

**ANALYSIS:**

Rexco-Hayward, LLC ("Developer") is the developer for the property located at 210 Radio Road, on the east side of Radio Road, immediately south and adjoining the 91-freeway. The Developer proposes to construct a new industrial building that is approximately 146,142 square-feet on a total of 7.17 acres. On June 17, 2020, the City Council approved a Purchase and Sale Agreement for the sale of approximately 16,140 square-feet of excess right-of-way and concurrently adopted Resolution No. 2020-052, declaring its intent to vacate said right-of-way, as shown on Exhibit "A." The completion of the vacation and subsequently the sale of the property is a necessary step in the development of the project. An ingress and egress easement will be reserved to maintain ingress and egress through the City Property to provide access to the existing Caltrans construction yard.

A notice of the public hearing on the vacation was published in the Sentinel Weekly News on July 1, 2020, and on July 8, 2020, in accordance with the provisions of the California Streets and Highways Code Section 8322. On June 22, 2020, three separate vacation notices were conspicuously posted along the portion to be vacated in accordance with the requirements of the California Streets and Highways Code Section 8323.

Adoption of the recommended resolution would order the vacation of a portion of public right-of-way fronting 210 Radio Road, south of the 91-freeway and north of the existing terminus of Radio Road, as described in Resolution No. 2020-089, and help provide for the completion of the sale to the Developer.

**COMMITTEE ACTION:**

Not applicable.

**STRATEGIC PLAN:**

Not applicable.

**FISCAL IMPACT:**

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

**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 simply approves the vacation of public right-of-way to help provide for the transfer of a small portion of excess right-of-way to the adjacent property owner for incorporation into property currently owned by such property owner, and there is no possibility that this action will have a significant effect on the environment. Therefore, no environmental analysis is required.

**PREPARED BY:** CHRISTOPHER HORN, P.E., SENIOR ENGINEER

**REVIEWED BY:** TOM KOPER, P.E., ACTING PUBLIC WORKS DIRECTOR

**REVIEWED BY:** ROGER BRADLEY, ASSISTANT CITY MANAGER

**SUBMITTED BY:** JACOB ELLIS, CITY MANAGER

**Attachments:**

1. Exhibit A - Location and Areas Map
2. Resolution No. 2020-089