


DATE SUBMITTED 11/10/2020
 SUBMITTED BY COMMUNITY DEVELOPMENT DIRECTOR
 DATE ACTION REQUIRED 11/18/2020

COUNCIL ACTION (X)
 PUBLIC HEARING REQUIRED RESOLUTION ()
 ORDINANCE 1ST READING ()
 ORDINANCE 2ND READING ()
 CITY CLERK'S INITIALS 

**IMPERIAL CITY COUNCIL
 AGENDA ITEM**

<p>SUBJECT: DISCUSSION/ACTION: ABANDONMENT OF RIGHT-OF-WAY OF 13TH & 14TH STREET,</p> <p style="margin-left: 40px;">1. Catalyst Development is requesting the Roadway Easement Abandonment of 13th and 14th Street at the far West End of the Roads (See Staff Report Attachments).</p>	
<p>DEPARTMENT INVOLVED: COMMUNITY DEVELOPMENT</p>	
<p>BACKGROUND/SUMMARY:</p> <p>Catalyst Development is requesting the Roadway Easement abandonment of 13th and 14th Street at the far west end of the roads (see attachments). Catalyst Development is planning to construct a 2 phase Apartment Project. The project site was previously rezoned during 2019 for a proposed Residential Apartment Project. The proposed housing project will serve the residents of the City of Imperial with opportunities for affordable housing and will bring the City closer to meeting the housing needs identified within our City's Housing Element "Regional Housing Needs Allocation" numbers.</p> <p>The abandonment is tied to major offsite infrastructure improvements which are intended to recover the deteriorating/ nonexistent infrastructure within the surrounding area. Some of the proposed improvements tied to the apartment project range from storm drain improvements, alley way improvements, curb gutter installation, sidewalk improvements, and the extension of 15th Street to La Brucherie Road, which is anticipated to improve traffic flow with the future Multifamily Housing Project. The abandonment is tied to ZC/GPA (19_02) that was approved by City Council during December 2019.</p> <p>The Planning Commission recommended the item for approval to the City Council on October 28, 2020.</p>	
<p>FISCAL IMPACT: N/A</p>	<p>ADMIN SERVICES SIGN INITIALS _____</p>
<p>STAFF RECOMMENDATION: Staff recommends approval of the right-of-way abandonment of 13th & 14th Streets.</p>	<p>DEPT. INITIALS <u>OM</u></p>
<p>MANAGER'S RECOMMENDATION: <i>approve</i></p>	<p>CITY MANAGER'S INITIALS <u>JHM</u></p>
<p>MOTION:</p> <p>SECONDED: APPROVED () REJECTED () AYES: DISAPPROVE () DEFERRED () NAYES:</p>	



Staff Report

To: City of Imperial City Council
From: Lisa Tylenda, Planner
Date: November 10, 2020
Subject: Proposed Right-of-Way Abandonment for 13th and 14th Streets.

Background:

Catalyst Development is requesting the Roadway Easement abandonment of 13th and 14th Street at the far west end of the roads (see attachments). Catalyst Development is planning to construct a 2 phase Apartment Project. The project site was previously rezoned during 2019 for a proposed Residential Apartment Project. The proposed housing project will serve the residents of the City of Imperial with opportunities for affordable housing and will bring the City closer to meeting the housing needs identified within our City's Housing Element "Regional Housing Needs Allocation" numbers.

The abandonment is tied to major offsite infrastructure improvements which are intended to recover the deteriorating/ nonexistent infrastructure within the surrounding area. Some of the proposed improvements tied to the apartment project range from storm drain improvements, alley way improvements, curb gutter installation, sidewalk improvements, and the extension of 15th Street to La Brucherie Road, which is anticipated to improve traffic flow with the future Multifamily Housing Project. The abandonment is tied to ZC/GPA (19_02) that was approved by City Council during December 2019.

Per the Developer the following statement was provided via email:

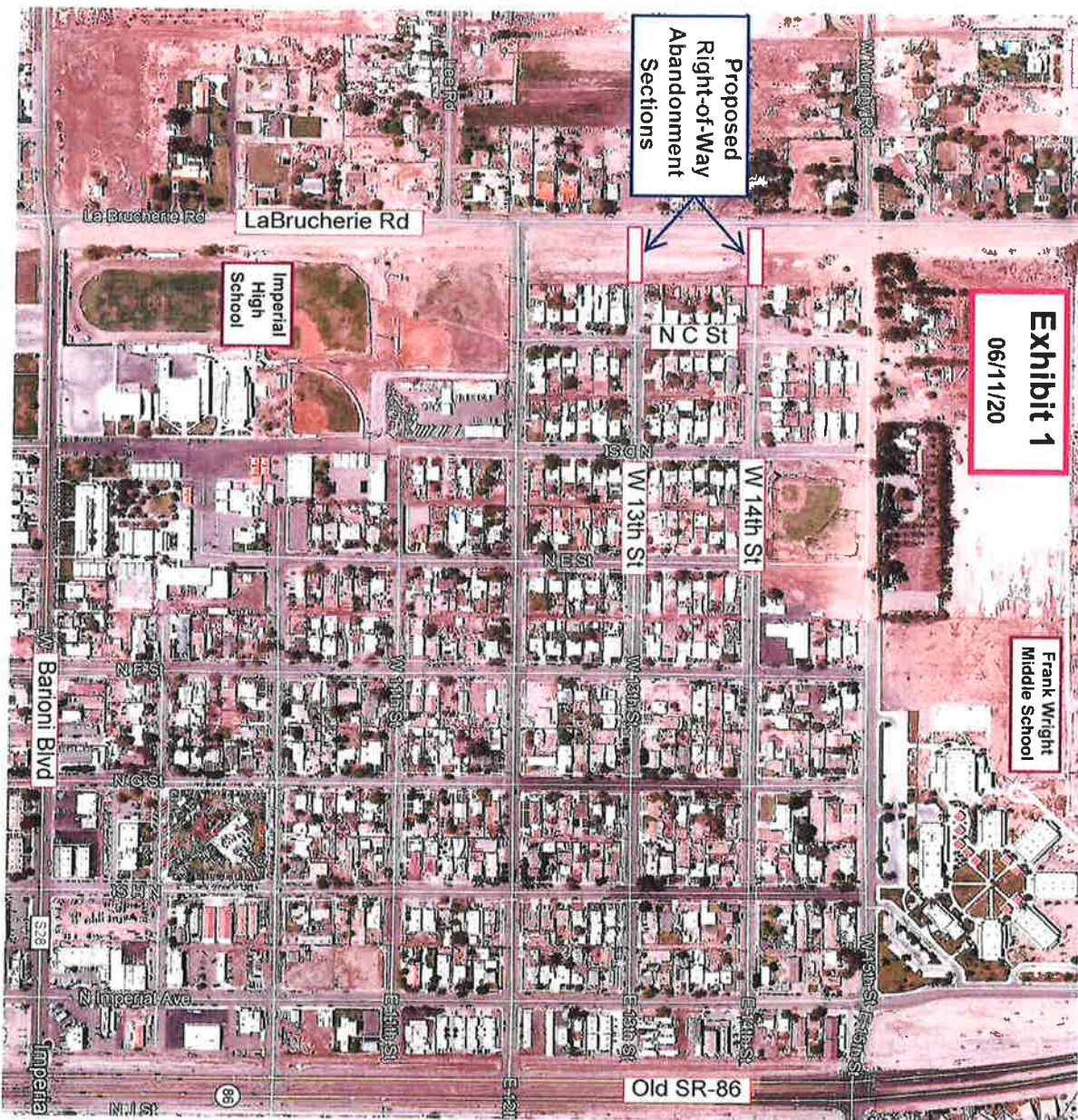
"The Abandonment of the roadway easement is necessary as there is no plan for extension of roadways currently or in the future and would be detrimental to have vacant undeveloped land. Also, by abandoning these roadways it will help traffic flow by focusing the traffic on 12th and 15th which are major traffic roadways."

The Planning Commission reviewed the proposed abandonment on October 28, 2020 and recommended the item to the City Council for review and approval. The Planning Commission recommended Condition of Approval #24 be added (please see condition in red attached.)

Analysis:

Development Review Committee and Engineering Staff/Consultants reviewed the proposed abandonment and recommend approval of the Right-of-Way Abandonment with the condition that the easement be tied to the conditions of approval from ZC/GPA (19_02) (Please see attached Conditions of Approval)

Location Map:



RESOLUTION NO. 2020-61

**RESOLUTION OF INTENTION TO VACATE A
PUBLIC RIGHT-OF-WAY**

WHEREAS, an owner of property adjoining a city street has requested the City to vacate a portion thereof and has further agreed to pay costs associated therewith; and

WHEREAS, the City Council of the City of Imperial hereby declares its intention to vacate a portion of a Right of Way along 13th Street, approximately 150 feet in length and 80 feet in width and a portion of a Right of Way along 14th Street, approximately 150 feet in length and 80 feet in width, more fully described below and depicted in map on file with the City; and

WHEREAS, the instant vacation proceeding is being conducted in accordance with Chapter 3, Part 3, Division 9 of the California Streets and Highways Code (Sec. 8320 et seq); and

WHEREAS, the part of the Right of Way proposed to be vacated is:

A PORTION OF FOURTEENTH STREET OF DEDICATION OF PARK ADDITION TO THE TOWN OF IMPERIAL MAP, IN THE COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO MAP NO. 18, ON FILE IN BOOK 1, PAGE 16 OF OFFICIAL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 1 OF BLOCK 4 OF SAID MAP 18;
THENCE NORTH 80 FEET TO THE SOUTHWEST CORNER OF LOT 6 OF BLOCK 3 OF SAID MAP 18;

THENCE EAST ALONG THE SOUTH LINE OF SAID LOT 6, 150 FEET TO THE SOUTHEAST CORNER OF SAID LOT 6;
THENCE SOUTH 80 FEET TO THE NORTHEAST CORNER OF SAID LOT 1;
THENCE WEST, ALONG THE NORTH LINE OF SAID LOT 1, 150 FEET TO THE POINT OF BEGINNING.

THE ABOVE LAND DESCRIBED AREA CONTAINS 12,000 SQ. FT. (0.28 ACRES MORE OR LESS).

SHOWN ON EXHIBIT "C" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

AND;

A PORTION OF THIRTEENTH STREET OF DEDICATION OF PARK ADDITION TO THE TOWN OF IMPERIAL MAP, IN THE COUNTY OF IMPERIAL, STATE OF CALIFORNIA, ACCORDING TO MAP NO. 18, ON FILE IN BOOK 1, PAGE 16 OF OFFICIAL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 1 OF BLOCK 9 OF SAID MAP 18; THENCE NORTH 80 FEET TO THE SOUTHWEST CORNER OF LOT 6 OF BLOCK 4 OF SAID MAP 18;

THENCE EAST ALONG THE SOUTH LINE OF SAID LOT 61 150 FEET TO THE SOUTHEAST CORNER OF SAID LOT 6;
THENCE SOUTH 80 FEET TO THE NORTHEAST CORNER OF SAID LOT 1;
THENCE WEST, ALONG THE NORTH LINE OF SAID LOT 1, 150 FEET TO THE POINT OF BEGINNING.

THE ABOVE LAND DESCRIBED AREA CONTAINS 12,000 SQ. FT. (0.28 ACRES MORE OR LESS).

SHOWN ON EXHIBIT "C" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

NOW, THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The City Council of the City of Imperial proposes to vacate that portion of the Right of Way described herein.
2. A Public Hearing will be held at the City Council Chambers, 200 West 9th Street, Imperial Avenue, Imperial, CA on December 2, 2020 at 7:00 p.m., or as soon thereafter as the matter can be heard.
3. This Resolution shall be published in accordance with Streets and Highways Code Section 8322 and notice shall be given in accordance with Streets and Highways Code Section 8323.

PASSED, APPROVED AND ADOPTED this 18th day of November 2020.

Darrell Pechtl, Mayor

ATTEST:

City Clerk