



STAFF REPORT
6/28/2023

TO: Honorable Mayor and City Council Members

FROM: Andrew Simmons, P.E. City Engineer

SUBJECT: Approving A Resolution of The City of Coachella City Council Summarily Vacating All Right of Way Interest of Said City for Street Easements Located on Assessor Parcel Number 778-081-003.

STAFF RECOMMENDATION:

Approve Resolution No. 2023-37, a Resolution of the City of Coachella, California, summarily vacating all right-of-way interest of said City for Street Easements.

BACKGROUND:

Chelsea Investment Corporation proposes to build an affordable housing complex known as Tripoli apartments with property frontage on Sixth Street, Tripoli Way, Bagdad Avenue and Cesar Chavez Street. A portion of this proposed development is encumbered by an easement as described and depicted in Exhibits A and B, attached to Resolution No. 2023-37. These easements were originally intended for public right-of-way use for a potential future alley. However, the easements have not been developed in accordance with its acquired purpose and no maintenance efforts or money has been expended in promoting the easement for its intended use. The easement has no public utilities and currently exists as an unimproved, unmaintained and inaccessible dirt area.

The development of the Tripoli apartment facility will vacate any public purpose of the easement. In order for Tripoli to install decorative wrought iron fencing along their frontage and provide a secure facility, it is recommended that the City approve the vacation of the easement area.

ANALYSIS:

In order for the City to officially vacate the 20 foot public right-of-way easement the City Council must first hold a public hearing for the street easement vacation to consider the evidence offered by any interested person. Followed by the adoption of an ordinance or resolution based upon the evidence that the said street easement is unnecessary for present or future Public Street purposes (Streets and Highways Code Section 8322).

The Streets and Highways Code requires public notice to be posted or published for at least two (2) successive weeks before passage of the ordinance or resolution, and notices of the street vacations shall be posted in a conspicuous place at least two (2) weeks before the date set for the

hearing.

The City Engineer and Staff have analyzed the proposed street easement vacation with respect to the City's present and future need for the 20 foot public right-of-way easements for public street purposes and public utility easement. Staff is in agreement that vacation of this street easement is in the interests of the City of Coachella and its citizens.

FISCAL IMPACT:

This summary vacation will have no fiscal impact to the City's General Fund.

ATTACHMENTS:

1. Resolution 2023-37