



AGENDA REPORT

Department: Community Development
Prepared by: Martin Reeder, AICP – Asst. Director of Community Development
Meeting Date: Tuesday, November 19, 2024
Approved by: Benjamin A. Martinez, City Manager

SUBJECT:

Summary Vacation of an Unused and Undeveloped Section of Paradise Avenue East of Plaza Blvd.

RECOMMENDATION:

Adopt the Resolution Entitled, “Resolution of the City Council of the City of National City Authorizing the Execution of an Order of Vacation of an Unused Section of Paradise Avenue East of Plaza Blvd.”

BOARD/COMMISSION/COMMITTEE PRIOR ACTION:

The Planning Commission made a finding of General Plan Conformance.

EXPLANATION:

Executive Summary

The Engineering and Public Works Department is requesting to vacate a portion of undeveloped City right-of-way located on the north side of Paradise Valley Road (see attached Exhibit B). The reason for the request is that the City has a right-of-way constraint along the north side of a creek channel along Paradise Valley Road in this area: the City’s easement over the channel runs along the bottom of the creek and does not include the northern bank of the creek (see attached Exhibit C).

Site Characteristics

The area is adjacent to an undeveloped residential property (“Property”) to the south, and three residential properties to the north. This southern property is zoned RS-1 (Large Lot Residential) and is privately owned. On the south side of said property, adjacent to Paradise Valley Road, is a City drainage channel that is part of a CIP (Capital Improvement Program) enhancement project. The Property is generally used as storage area for contractors engaged in local infrastructure projects. The Property has been kept clean and free of weeds. The right-of-way to be vacated is 60 feet wide and is approximately 19,800 square feet in size. A steep dirt hill occupies approximately 25% of the property to be vacated.

Proposal

The Engineering and Public Works Department is requesting the vacation in association with the Paradise Creek Water Quality and Community Enhancement phase 2 project, currently underway

("Project"). The project proposes to make the creek channel wider, which will encroach on to the adjacent private property to the north. Vacating the unused portion of right-of-way (Paradise Avenue), the City has requested an equivalent easement area on the north side of the creek, allowing the City to widen the creek and create an access road necessary for Public Works crews to maintain the channel, which is ready to be executed once approved. The right-of-way proposed to be vacated is 60 feet wide. If vacated, half of the right-of-way (30 feet) will go to the properties on each side.

Analysis

Pursuant to the City's procedures, the summary vacation process starts with direction from the City Council, which was provided on May 7, 2024. The Planning Commission subsequently held a hearing to consider the conformity of the proposed vacation with the General Plan on May 20, 2024, at which time such a finding was made. The final step is for the City Council to adopt a resolution summarily vacating the street segment in question, which is the subject of tonight's hearing.

General Plan Conformance

The street segment proposed to be vacated is an undeveloped "paper street" and is not designated as a road or street in the Circulation Element of the General Plan.

Vacating the street in this location would resolve a right-of-way constraint by ensuring an adequate easement over the creek channel in the area. In addition, it would facilitate a CIP project that will improve drainage through the area. The vacation would therefore be consistent with the following General Plan policies:

- **Policy S-2.1:** Prioritize funding and implementation of needed flood control and drainage improvements.
- **Policy S-2.5:** Encourage modifications to floodways to restore creek capacity, stabilize creek banks, and restore habitat or water quality, where feasible.

Summary

The General Plan Circulation Element does not identify the area as a road or street. The proposed street vacation does not conflict with the policies and goals of the General Plan. Furthermore, the vacation would resolve a right-of-way constraint and facilitate an important CIP project. Staff is recommending the summary vacation of Paradise Avenue in this location.

Options

1. Order the summary vacation of the unused section of Paradise Avenue; or
2. File the report (deny).

FINANCIAL STATEMENT:

There is an estimated cost of \$1,000 to create the metes and bounds and the easement map that will be paid from the Integrated Regional Water Management (IRWM) Grant that is funding the improvements to the drainage channel.

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Health, Environment, and Sustainability

ENVIRONMENTAL REVIEW:

This is a project under CEQA subject to a Categorical Exemption. Minor Alterations in Land Use Limitations CCR 15305. This project qualifies for a Notice of Exemption.

PUBLIC NOTIFICATION:

The Agenda Report was posted within 72 hours of the meeting date and time in accordance with the Ralph M. Brown Act.

ORDINANCE:

Not Applicable

EXHIBITS:

Exhibit A – Resolution and Order of Vacation

Exhibit B – Order of Vacation Exhibits

Exhibit C – Location Maps

Exhibit D – Proposed Easement and Street Vacation

Exhibit E – Site Photos

Exhibit F – Notice of Exemption