CC 3-3-2026

#8

Vacating a Portion of Public Right-of-Way on Mary Avenue

Presentation

Mary Avenue
Right-of-Way Vacation

March 3, 2026

CITY OF
CUPERTINO

Cupertino
City Council

Tonight's Action

<u>Subject</u>

Conduct a Noticed Public Hearing to Consider Adopting a Resolution Vacating a Portion of Public Right-of-Way Located Along the Westerly Edge of Mary Avenue (APN 326-27-053)

<u>Recommended Action</u>

1) Find the project exempt from the California Environmental Quality Act (CEQA)

2) Adopt a Resolution approving the vacation of a portion of public right-of-way located along the westerly edge of Mary Avenue (APN 326-27-053)
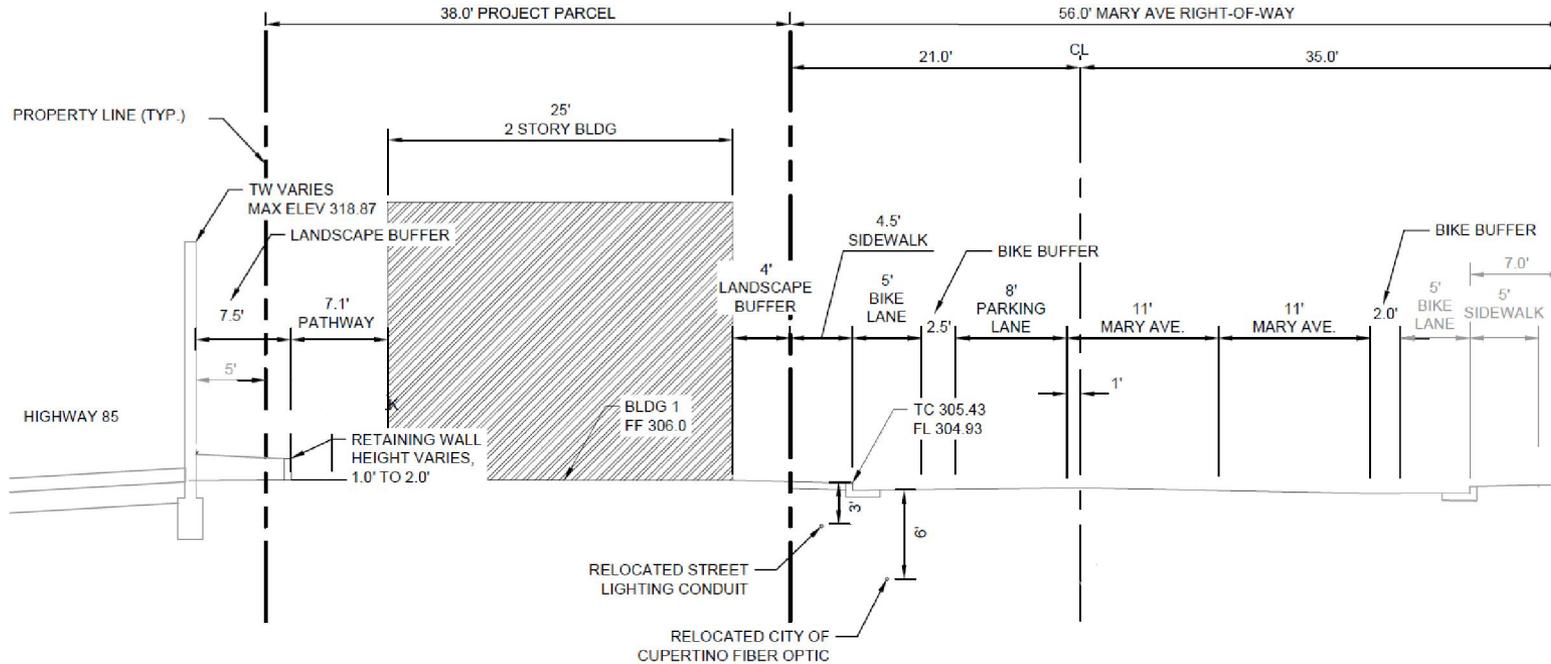
Parcel Map & APN Map of Property

Aerial of Property

Property Background & Status

- FY 21-22   City Work Program initiated Project
- 2023   Parcel was created
- 2024   Re-zoned with Housing Element
- 2/3/26   Low-income housing project approved by City Council

- Property currently designated as Right-of-Way
- Area mostly serves parking stalls
- Underutilized parking except for festivals (9 days/year)

Proposed Section of Property and Roadway

Right-of-Way Vacation

- Construction of housing project requires the Vacation
- 2/10/26: General Plan Conformity by Planning Commission
- Intention to Vacate was properly noticed
- Utility Companies provided consent for Vacation
- Adequate Right-of-Way remains to serve public access and accommodate traffic

Based on these facts, Council can determine that the Right-of-Way within the Property Limits is Unnecessary for Present or Prospective Public Purposes.

It is in the Public's Interest to Proceed to Order Vacation.

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