



PUBLIC WORKS DEPARTMENT

CITY HALL

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CITY COUNCIL STAFF REPORT

Meeting: December 4, 2018

Subject

Vacate an Existing Easement for Storm Drain Retention Basin Purposes located on 23500 Cristo Rey Drive

Recommended Action

Conduct a public hearing and adopt Resolution No. 18-XXX to vacate an existing easement for storm drain retention basin purposes located on 23500 Cristo Rey Drive.

Discussion

On April 17, 2018, the City Council approved the Development Permit DP-2017-01 to allow additions and renovations to the existing facilities, a new memory care building, and 23 new independent living units, submitted by the Forum at Rancho San Antonio (Applicant).

A portion of the proposed memory care building will encroach upon an existing storm drain retention basin easement (Existing Easement) for a retention pond. The purpose of the retention pond is to temporarily capture and store storm water runoff for major storm events. The Applicant submitted a request to vacate the Existing Easement, reconstruct the retention system to ensure adequate storage capacity, and dedicate and record a new storm drain retention basin easement (New Easement, Attachment B).

In order to ensure a clean title is conveyed, staff recommends vacating the entire Existing Easement, and concurrently accepting and recording the New Easement. The City intends to record both documents, the Existing Easement vacation and the New Easement dedication, in subsequent order. See Attachment A for the location of the Existing and New Easement areas.

The project's civil engineer has performed the necessary hydraulic calculations to ensure the New Easement area has sufficient capacity to detain a 100-year storm event.

The California Streets and Highways Code requires a two-step process for vacation of a public easement. On November 5, 2018, the City Council conducted the first step by adopting Resolution No. 18-106 declaring the City Council's intent to vacate a storm drain retention basin easement located on 23500 Cristo Rey Drive, providing for public notice, and setting this public hearing for December 4, 2018. Now, City Council must

conduct the second step, which is to hold the public hearing and adopt a resolution for the vacation, the form of which is included as Attachment C. The New Easement will be accepted on behalf of the City by the City Engineer as authorized by City Council Resolution No. 11-175.

Sustainability Impact

No sustainability impact.

Fiscal Impact

No fiscal impact.

Prepared by: Winnie Pagan, Senior Civil Engineer

Reviewed by: Timm Borden, Director of Public Works

Approved for Submission by: Amy Chan, Interim City Manager

Attachments:

A – Storm Drain Retention Basin Easement Area

B – New Storm Drain Easement

C - Draft Resolution