

14-1234
CD 10

On March 5, 2002, under Council File No. 01-1459, the City Council adopted new procedures for processing street vacations, which require adoptions of a Rule 16 motion to initiate street (alley) vacation proceedings at the request and instance of an application from a petitioner. Under these new procedures, when the petitioner submits an application and a fee deposit to the Bureau of Engineering, the Chair of the Board of Public Works is required to introduce a motion for the purposes of assigning a council file number and initiating the investigating of the vacation.

David Pourbaba, the petitioner, who is requesting vacating the subject alley, which lies directly adjacent and between lots 184,-186 and lots 240 - 242 of Tract No. 5566, all properties are owned by the petitioner. The subject properties will be developed with a major mixed residential-retail project. The subject alley extends from Alsace Avenue on the west to Sycamore Avenue on the east, has submitted an application for a vacation located in Council District No. 10. The petitioner has also submitted a deposit to cover the cost of processing the vacation proceedings.

Additionally, the adoption of the following recommendations does not constitute or imply approval of the vacation.

I THEREFORE MOVE that upon adoption of this motion, alley vacation proceedings to vacate the subject alley, extending from Alsace Avenue on the west to Sycamore Avenue on the east, be initiated pursuant to California Street and highway Code, Division 9, Part 3, Public Streets, Highways and Service Easements Vacation law.

I FURTHER MOVE that the Bureau of Engineering be directed to investigate the feasibility of this vacation request.

I FURTHER MOVE that the Bureau of Engineering issue a Revocable Permit prior to the subject vacation.

I FURTHER MOVE that the Bureau of Engineering present its report regarding the feasibility of vacating the requested alley to the Public Works Committee.

I FURTHER MOVE that upon consideration and approval by the Public Works Committee, the City Clerk be directed to coordinate with the Chair, subject to the concurrence of the Council President and schedule this request for the City Council's consideration at the appropriate time consistent with the public hearing requirement under California Street and Highways Code Section 8320.

PRESENTED BY Joe Buscaino
JOE BUSCAINO
Councilman, 15th District

SECONDED BY Steve J. Kary

[Signature]
SEP 10 2014

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