



CITY OF HAYWARD AGENDA REPORT

AGENDA DATE 1/20/98

AGENDA ITEM 5

WORK SESSION ITEM _____

TO: Mayor and City Council
FROM: Director of Public Works
SUBJECT: VACATION OF PRIMROSE PLACE

Recommendation:

It is recommended that the City Council hold a public hearing and adopt a resolution vacating Primrose Place.

Background/Discussion:

Primrose Place was created in 1951 with the approval of Tract 1010. At that time, it was projected that Primrose Place would be continued with the development of the property to the west. This idea did not come to fruition, as the adjoining parcel was developed as Schafer Park School. Primrose Place then remained as a 100-foot-long "stub" street, ending at a chain link fence with no access to the school grounds. The street has degenerated into an area in which people congregate to park and engage in various activities, which is not conducive to the peace of mind of the adjoining residents. The property owners on both sides of Primrose Place have requested this vacation and will construct a concrete curb and sidewalk along the Stanwood Avenue frontage. The Hayward Unified School District (HUSD) has stated that it has no ingress or egress at this point, and is in favor of the proposed vacation. The City has both water and sewer facilities in Primrose Place. The sanitary sewer will be plugged at the manhole in Stanwood Avenue and at the riser in Primrose Place. An easement will be reserved for the water main and the HUSD irrigation meter. As the City's interest in Primrose Place is only an easement, the property will revert to the two adjoining land owners, as shown on the plat of the vacation.

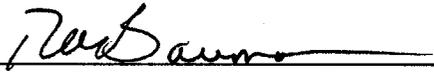
Neither the General Policies Plan nor the Harder/Tennyson Neighborhood Plan addresses the vacation of "stub" streets. This vacation does, however, conform to Policy 12 of the Neighborhood Plan to "Improve the general appearance of the Neighborhood" by eliminating a location where miscellaneous debris is deposited.

Under California Environmental Quality Act (CEQA) Guidelines for Minor Alterations in Land Use Limitations, the vacation of excess right-of-way is exempt from the application of CEQA.

On December 9, 1997, the City Council adopted a resolution stating its intent to vacate Primrose Place and hold a public hearing.

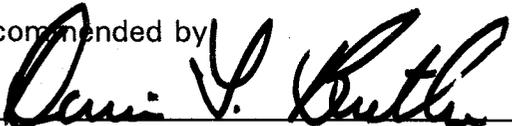
The area has been posted and this proposal has been published in the Daily Review, in accordance with law.

Prepared by:



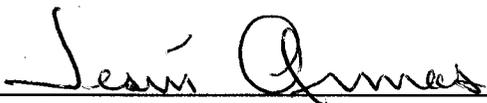
Robert A. Bauman, Deputy Director of Public Works

Recommended by



Dennis L. Butler, Director of Public Works

Approved by:



Jesús Armas, City Manager

Attachments: Exhibit A: Vicinity Map
Exhibit B: Plat Map

[PW-E&T HBD/fsr Agenda97\primrose.vac 12/8/97]

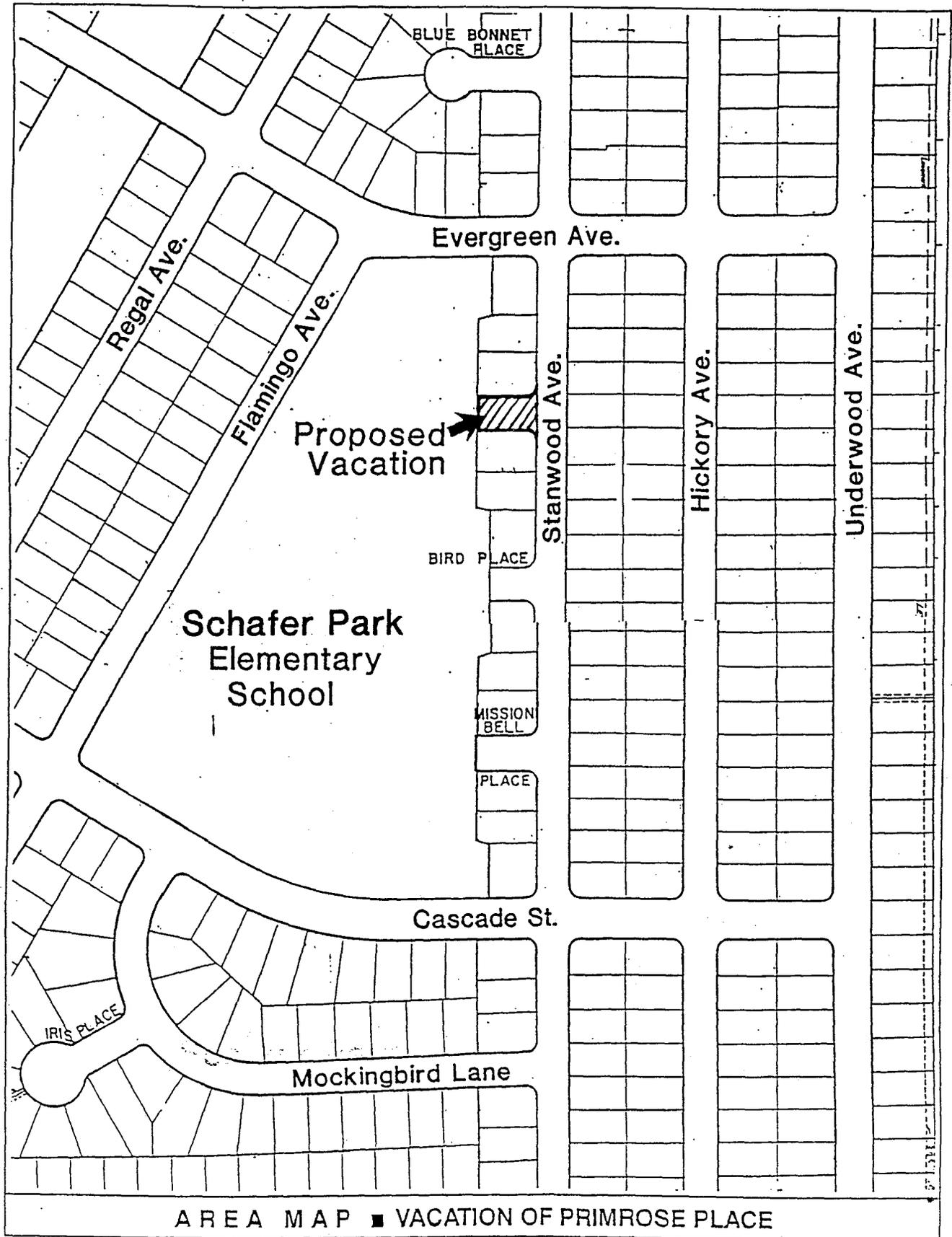
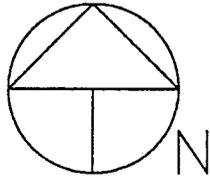


EXHIBIT A



SCHAFFER PARK SCHOOL

50.00 FT

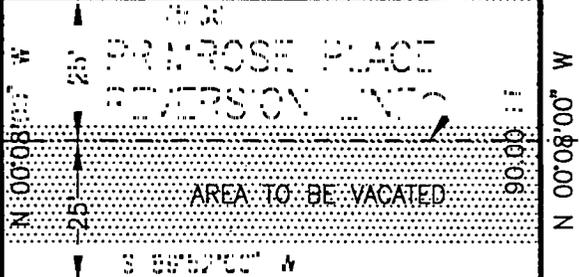
1010

$\Delta 90^{\circ}00'00''$
R 20.00 FT
L 31.42 FT

LOT 3
BLOCK 9

N $89^{\circ}52'00''$ E

STANWOOD AVENUE



TRACT
31 MAPS 77

$\Delta 90^{\circ}00'00''$
R 20.00 FT
L 31.42 FT

LOT 1
BLOCK 1

75.00 FT

N $00^{\circ}08'00''$ W



Scale 1" = 30 ft

HAROLD B. DAVIS
L.S. 3352
LICENSE EXPIRES 6/30/00

			CITY OF HAYWARD ENGINEERING DIVISION		VACATION OF PRIMROSE PL.	DWC. NO.
			DRAWN BY: F.MORALES	DATE: OCT, 1997		FILED
			CHECKED BY: H.B.D.	SCALE: 1=30		
			APPD. BY	APPROVED		SHT. 1 OF 1
REV	DATE	BY	CITY ENGINEER	DIR. PUBLIC WORKS		

DRAFT JB 11/8/98

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced by Council Member _____

**RESOLUTION VACATING PRIMROSE PLACE ROADWAY
EASEMENT NO LONGER REQUIRED FOR PUBLIC
PURPOSES**

WHEREAS, by Resolution No. 97-187, the City Council declared its intention to proceed under the provisions of section 8320 et seq. of the California Streets and Highway Code to vacate a roadway easement of Primrose Place, as more particularly described on the attached Exhibit "A;"

WHEREAS, the matter has heretofore been referred to the Director of Public Works who has submitted his recommendation on the vacation; and

WHEREAS, the Planning Commission has determined that the vacation is consistent with the General Policies Plan of the City of Hayward.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward finds from all evidence submitted that the portion of Hesperian Boulevard referred to in the above mentioned resolution of intention is unnecessary for present or prospective public purposes with the reservations and exception noted below; and

IT IS THEREFORE HEREBY ORDERED by the City Council that the roadway easement of Primrose Place in the City of Hayward, California, be and the same is hereby abandoned and vacated subject to the reservation of a utility easement, as more particularly described in the attached Exhibit "A."

BE IT FURTHER RESOLVED that the City Clerk is authorized and directed to cause a certified copy of this resolution to be recorded in the office of the Alameda County Recorder.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 1998

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward