



CITY COUNCIL STAFF REPORT



October 1, 2024

ITEM TITLE

Proposed Vacation: Approve the Vacation of a Portion of Unnamed Street/Alley of Rosebank Subdivision, Adjacent to 130 First Avenue

Report Number: 24-0224

Location: 130 First Avenue

Department: Development Services

G.C. § 84308: Yes

Environmental Notice: The Project qualifies for a Class 5 Categorical Exemption pursuant to Section 15305 (Minor Alterations in Land Use Limitations) of the California Environmental Quality Act ("CEQA") State Guidelines.

Recommended Action

Conduct the public hearing and adopt a resolution approving the vacation of a portion of unnamed street/alley of Rosebank Subdivision, adjacent to 130 First Avenue.

SUMMARY

The owner of 130 First Avenue in Chula Vista is requesting the vacation of a portion of unnamed street/alley that was dedicated as part of the Rosebank Subdivision, filed in the Office of the County Recorder of San Diego County on January 18, 1911. The portion of the street right-of-way proposed for vacation is not needed for any future street widening or public right-of-way purpose. In accordance with Sections 8333 through 8335 of the California Streets and Highways Code, the City can summarily vacate a portion this right-of-way through adoption of a resolution and revert the right-of-way of the street to the adjoining property owner(s).

ENVIRONMENTAL REVIEW

The Director of Development Services has reviewed the proposed project for compliance with CEQA and has determined that the Project qualifies for a Class 5 Categorical Exemption pursuant to Section 15305 (Minor Alterations in Land Use Limitations) of the State CEQA Guidelines because the activity consists of a minor transfer of vacated unused right-of-way to adjacent owners, the area or land to be vacated has an average slope of less than twenty percent (20%), and the vacation action will not change the land use or density of the affected area. Thus, no further environmental review is necessary.

BOARD/COMMISSION/COMMITTEE RECOMMENDATION

Not applicable.

DISCUSSION

On June 17, 2022, the owner of 130 First Avenue requested approval of the vacation of a portion of unnamed street/alley adjacent to 130 First Avenue. The unnamed street/alley is located between First Avenue to the East, D Street to the North, Minot Avenue to the West, and E Street to the South (Attachment 1). The unnamed street/alley was dedicated as part of the Rosebank Subdivision, filed in the Office of the County Recorder of San Diego County on January 18, 1911. A portion of the unnamed street/alley west of the subject location was closed by Council Resolution No. 237 passed and adopted on February 7, 1928, said resolution was recorded on July 7th, 1952, and a subsequent portion vacated by Council Resolution No. 4237 on November 22, 1966. Staff has determined that the vacation of the subject portion of the unnamed street/alley adjacent to 130 First Avenue would not impact the adopted General Plan Circulation Element.

With this proposed action, the City will vacate a portion of Unnamed Street/Alley, and in accordance with Section 7050 of the California Government Code and Division 9, Part 3, Chapter 4, Sections 8333 through 8335 of the California Streets and Highways Code, this type of vacation may be performed through adoption of a resolution of vacation by the City Council and recordation of a certified copy of the resolution attested to by the City Clerk (Attachment 2).

In accordance with Chula Vista Municipal Code (“CVMC”) section 12.40.010, City staff has conducted an investigation and determined that the public interest would be served by vacating this portion of unnamed street/alley of the Rosebank Subdivision because the subject area and land is unnecessary for present or future public use as a street or right-of-way, and the portion of the unnamed street/alley of the Rosebank Subdivision to be vacated does not contain any public utility facilities that are in use and would be affected by the proposed vacation.

DECISION-MAKER CONFLICT

Staff has reviewed the property holdings of the City Council members and has found no property holdings within 1,000 feet of the boundaries of the property which is the subject of this action. Consequently, this item does not present a disqualifying real property-related financial conflict of interest under California Code of Regulations Title 2, section 18702.2(a)(7) or (8), for purposes of the Political Reform Act (Cal. Gov’t Code §87100, et seq.).

Staff is not independently aware and has not been informed by any City Council member, of any other fact that may constitute a basis for a decision-maker conflict of interest in this matter.

CURRENT-YEAR FISCAL IMPACT

All costs to process this request are borne by the property owner, resulting in no net fiscal impact to the General Fund or the Development Services Fund as a result of this action.

ONGOING FISCAL IMPACT

There is no ongoing fiscal impact to the General Fund or Development Services Fund as a result of this action.

ATTACHMENTS

1. Vicinity Map
2. Street Vacation Legal Description and Plat

*Staff Contact: Jaime Campos, Principal Civil Engineer, Development Services Department
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