



# CITY COUNCIL AGENDA STATEMENT



April 7, 2020

File ID: 20-0075

## **TITLE**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA DESIGNATING AND SETTING ASIDE CERTAIN PORTIONS OF CITY-OWNED REAL PROPERTY CURRENTLY KNOWN AS 341 ORANGE AVENUE, 389 ORANGE AVENUE, AND 1427 FOURTH AVENUE AS RIGHT-OF-WAY FOR STREET AND PUBLIC UTILITY PURPOSES

## **RECOMMENDED ACTION**

Council adopt the resolution.

## **SUMMARY**

Portions of the City-owned parcels at 341 Orange Avenue, 389 Orange Avenue, and 1427 Fourth Avenue extend into the current Orange Avenue roadway. The adoption of the Resolution will designate and set aside the portions of the parcels that are located within the limits of the existing Orange Avenue roadway as Right-of-Way for Street and Utility Purposes.

## **ENVIRONMENTAL REVIEW**

The proposed Project has been reviewed for compliance with the California Environmental Quality Act (CEQA) and it has been determined that the Project qualifies for a Categorical Exemption pursuant to the California Environmental Quality Act State Guidelines Section 15305 Class 5 (Minor Alterations in Land Use Limitations), Section 15303 Class 3 (New Construction or Conversion of Small Structures), and Section 15332 Class 32 (In-Fill Development Projects) because the proposed project would not result in a significant effect on the environment, create a cumulative impact, damage a scenic highway, be located on a site pursuant to Section 65962.5, or cause a substantial adverse change in the significance of a historical resource. Thus, no further environmental review is required.

## **BOARD/COMMISSION/COMMITTEE RECOMMENDATION**

Not applicable.

## **DISCUSSION**

During preparation of construction plans for the replacement of Fire Station 5, portions of the City-owned parcels at 341 Orange Avenue, 389 Orange Avenue, and 1427 Fourth Avenue (APN's 623-010-15, 623-010-14 and 623-010-29, respectively), were found to be located within the existing Orange Avenue roadway and used for public street purposes since construction of Orange Avenue. The northerly portions of these

parcels, ranging in distance from 47 feet to 52 feet along the Orange Avenue frontage, were never designated as Right-of-Way for Street and Public Utility Purposes, but have been used for this purpose.

The subject parcels located at 341 Orange Avenue, 389 Orange Avenue, and 1427 Fourth Avenue are legally described as follows:

- 341 ORANGE AVENUE (APN 623-010-15):  
The east one-half of the northeast quarter of the southeast quarter of the southeast quarter of section 15, township 18 south, range 2 west, San Bernardino base and meridian, in the City of Chula Vista, County of San Diego, State of California, said property being shown on Licensed Surveyor's Map 9, filed in the Office of the County Recorder of San Diego County, April 27, 1892, as a portion of Lot 1 of subdivision of fractional south one-half of the southeast quarter of section 15, said subdivision sometimes being called Thomas Subdivision.
  
- 389 ORANGE AVENUE (APN 623-010-14) & 1427 FOURTH AVENUE (APN 623-010-29)  
The west one-half of the northeast quarter of the southeast quarter of the southeast quarter of section 15, township 18 south, range 2 west, San Bernardino base and Meridian, in the City of Chula Vista, County of San Diego, State of California, said property being shown on Licensed Surveyor's Map 9, filed in the Office of the County Recorders of San Diego County, April 27, 1892, as a portion of Lot 2 of subdivision of fractional south one-half of the southeast quarter of section 15, said subdivision sometimes being called Thomas Subdivision.

In order to provide Right-of-Way for Street and Public Utility Purposes and to ensure that the correct limits are designated and set aside appropriately along Orange Avenue, City staff recommends the adoption of the Resolution and the filing of a Certified Copy thereof with the County Recorder's Office that will establish the intended and current physical use of the land. The "Right-of-Way Designation Plat and Legal" (Attachment 1) graphically depicts and legally describes the proposed areas to be designated as Right-of-Way for Street and Public Utility Purposes.

#### **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.).

#### **CURRENT-YEAR FISCAL IMPACT**

Adoption of the resolution will result in no additional impact to the Measure P Fund.

#### **ONGOING FISCAL IMPACT**

Upon the completion of the project, routine maintenance of Orange Avenue will be continued.

## **ATTACHMENTS**

1. Right-of-Way Designation Plat and Legal

*Staff Contact: Jonathan Salsman, Senior Civil Engineer*