



CITY OF POMONA COUNCIL REPORT

November 21, 2022

To: Honorable Mayor and Members of the City Council

From: James Makshanoff, City Manager

Submitted By: Rene Guerrero, Public Works Director

SUBJECT: APPROVAL OF SUMMARY VACATION VU1-2022 OF THE CITY'S UNUSED ADA PATH OF TRAVEL EASEMENT LOCATED WITHIN THE PROPERTY ASSOCIATED WITH ASSESSOR PARCEL NUMBERS 8326-006-010 & -011 AND RELATED TO THE COMMERCIAL FACILITY AT 1131 E. SECOND STREET, POMONA, CA, AND APPROVAL OF QUITCLAIM DEED FOR THE VACATED EASEMENT (COUNCIL DISTRICT 3)

RECOMMENDATION:

It is recommended that the City Council take the following actions:

- 1) Adopt the following resolution:

RESOLUTION NO. 2022-183 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ORDERING THE SUMMARY VACATION VU1-2022 OF THE CITY'S UNUSED ADA PATH OF TRAVEL EASEMENT LOCATED WITHIN THE PROPERTY ASSOCIATED WITH ASSESSOR PARCEL NUMBERS 8326--006-010 & -011 AND RELATED TO THE COMMERCIAL FACILITY AT 1131 E. SECOND STREET, POMONA, CA AND APPROVAL OF QUITCLAIM DEED FOR THE VACATED EASEMENT; and

- 2) Authorize the City Manager to execute the quitclaim deed on behalf of the City.

EXECUTIVE SUMMARY:

Adoption of Resolution No. 2022-183 (Attachment No. 1) will approve: (i) the summary vacation of the existing ADA path of travel public easement that is unused and unnecessary for the commercial facility located at 1131 E. Second Street, and (ii) the Quitclaim Deed (EXHIBIT 1 attached to the Resolution) requested by the landowner for the vacated easement.

FISCAL IMPACT:

No fiscal impact at this time.

PREVIOUS RELATED ACTION:

On December 13, 2017, the Planning Commission adopted Resolution No. 17-054 (Attachment No. 2) approving Conditional Use Permit CUP 4635-2016 for the development of a 30,000 square-foot truck body assembly facility located at 1131 E. Second Street, Assessor Parcel Numbers (APNs) 8326-006-010 & -011.

DISCUSSION:

John Wang with Tritech Engineering Associates, applicant on behalf of Miguel and Sylvia Sanchez, owners of the property located at 1131 E. Second Street, has submitted a request to the Public Works Department for the summary vacation of the unused easement dedicated on APNs 8326-006-010 & 011. The easement was originally intended to provide a continuous pedestrian path of travel across the property driveway approaches located along First Street (Attachment No. 3) in compliance with Americans with Disabilities Act (ADA) requirements. Said driveway aprons were relocated during the truck assembly facility construction. A new easement has already been dedicated and accepted by the City, and is in the process of being recorded.

In accordance with the approved project street improvement plan (Attachment No. 4), which depicts the final location of the First Street driveway approaches, and in compliance with CUP 4653-2016 Land Development Condition of Approval #10 included in Planning Commission Resolution No. 17-054, the property owner is requesting (i) the summary vacation of the City street easement as being no longer needed, and (ii) the approval of the Quitclaim Deed associated with the vacated easement.

The ADA path of travel easement proposed for vacation is legally described in EXHIBIT "A" and depicted on EXHIBIT "B" attached to the Resolution.

The approval and adoption of the Resolution, and the approval of the ADA path of travel easement Quitclaim Deed, will facilitate the completion of the project in accordance with the approved project plans.

Prepared by:

Carmen Barsu
Associate Civil Engineer

ATTACHMENTS:

Attachment No. 1 - Proposed Resolution No. 2022-183 with VU1-2022 Quitclaim Deed as EXHIBIT 1, Legal Description as EXHIBIT "A" and Map as EXHIBIT "B"

Attachment No. 2 - Planning Commission Resolution 17-054

Attachment No. 3 - Aerial Map

Attachment No. 4 - Public Street Improvement Plan