



Legislation Details (With Text)

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Title: Actions pertaining to a Donation Agreement for property located at 770 East Shaw Avenue (APN 418-091-12), south of the intersection of East Keats Avenue and North Sherman Avenue (Council District 4):

1. Adopt a finding of Categorical Exemption pursuant to Sections 15304 and 15316 of the California Environmental Quality Act (CEQA) Guidelines
2. Approve an Agreement for Donation of Property for 14,825 square feet of property for public park purposes

Sponsors: Public Works Department, Parks, After School, Recreation and Community Serv

Indexes:

Code sections:

Attachments: 1. 21-975 Vicinity Map, 2. 21-975 Agreement for Donation of Property

Date	Ver.	Action By	Action	Result
12/9/2021	1	City Council	adopted	Pass

REPORT TO THE CITY COUNCIL

FROM: SCOTT L. MOZIER, PE, Director
Public Works Department

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Parks, After School, Recreation and Community Services Department

SUBJECT

Actions pertaining to a Donation Agreement for property located at 770 East Shaw Avenue (APN 418-091-12), south of the intersection of East Keats Avenue and North Sherman Avenue (Council District 4):

1. Adopt a finding of Categorical Exemption pursuant to Sections 15304 and 15316 of the California Environmental Quality Act (CEQA) Guidelines
2. Approve an Agreement for Donation of Property for 14,825 square feet of property for public park purposes

RECOMMENDATION

Staff recommends the Council adopt a finding of Categorical Exemption pursuant to Sections 15304/Class 4 (Minor Alterations to Land) and 15316/Class 16 (Transfer of Ownership in Land to Create Parks) of the CEQA Guidelines, approve the terms of the attached Agreement for Donation of Property for public park purposes, and authorize the Director of Parks, After School, Recreation and

Community Services to execute all necessary documents to complete the property acquisition on behalf of the City after review and approval as to form by the City Attorney.

EXECUTIVE SUMMARY

The need has been identified for additional green space in the neighborhood northwest of Shaw Avenue and First Street. The office of Councilmember Maxwell has been working with constituents and commercial property owner on a donation of 14,825 square feet of property for public park purposes, which fronts East Keats Avenue just west of North Sherman Street. The property will be utilized for public park purposes, including new drought-tolerant trees and shrubs, elimination of the Bermuda turf berm, and installation of a new meter and irrigation backflow preventer to separate out the property as a City pocket park.

BACKGROUND

For more than four decades, the subject property has been part of the commercial office complex at the northwest corner of the intersection of Shaw Avenue and First Street. The commercial property frontage along East Keats Avenue was developed as a commercial landscape setback consistent with development requirements at the time. The north side of East Keats Avenue, and the entirety of the street west of the subject property, is a single-family residential neighborhood. The existing commercial landscape berm provides little benefit to the single-family residential neighborhood while presenting a maintenance obligation to the commercial property owner. As private property, it furthermore does not provide any public green space to the community as it exists today.

The proposed donation to the City of the 14,825 square feet on the East Keats Avenue side of the commercial block wall will provide much-needed green space to the community through the development of a small pocket park. The repurposed area will provide passive green space with drought-tolerant shrubs, trees and a xeriscape type of design theme for low maintenance. The new green space will also feature additional open space amenities such as benches, landscape boulders or small post-mounted lending book libraries.

Approval of this item will allow the City Manager, or his designee, to execute all necessary documents to complete the property acquisition after review and approval as to form by the City Attorney.

ENVIRONMENTAL FINDINGS

Staff has performed a preliminary environmental assessment of this Project and has determined it falls within the Categorical Exemption for existing facilities set forth in Section 15304 / Class 4 for minor alterations to land, such as grading, gardening and landscaping; and Section 15316 / Class 16 for transfer of ownership in land to create parks.

The proposed project is consistent with the Class 4 and Class 16 exemptions because the project involves negligible expansion of the existing use and will have substantially the same purpose. Further, the area in which the project is located is not environmentally sensitive. None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, Section 15300.2 apply to the project.

LOCAL PREFERENCE

Local preference does not apply because the acquisition of the subject property does not include a bid or award of construction or services contract.

FISCAL IMPACT

As a property donation, the City will not incur any cost for land acquisition. Improvements to the donated property will occur through further donations of materials, as well as infrastructure funding already available through the adopted budget. Maintenance of the new pocket park can be accommodated within the adopted budgets for the Public Works and PARCS department budgets.

Attachments:

Vicinity Map

Agreement for Donation of Property