



Council Agenda Report

From: Dante Pecchenino, Senior Development Review Engineer
David Athey, Acting City Engineer

Subject: Approval of Public Right of Way Easement Purchase – Niblick and South River Road Right Turn

CEQA Determination: The Grant of Easement and Public Safety and Utility purchase in itself is not a project subject to the California Environmental Quality Act ("CEQA") because it has no potential to result in either a direct, or reasonably foreseeable indirect, physical change in the environment. (State CEQA Guidelines, §§ 15060, subd. (b)(2)-(3), 15378.)

Date: September 17, 2024

Facts

1. On October 6, 2020, the City Council approved the Beechwood Specific Plan and the related general plan and zoning code amendments, tentative tract maps, and a Developer Agreement (DA).
2. A DA is a contract negotiated between the project proponents (i.e., the Developer) and the City that govern the land uses that may be allowed in a particular project or specific plan area. Amongst other items, included in the Beechwood Specific Plan DA are conditions to mitigate traffic impacts generated by the project.
3. The Beechwood Traffic Impact Study identified the need to construct a new right-turn lane on South River Road at the northwest intersection of Niblick Road and South River Road as a required mitigation (see map on the following page).
4. The new right-turn lane must be constructed on a portion of the land that is currently occupied by the Arco Gas Station because the existing right-of-way is not wide enough; however, the expansion will not affect the gas station's operations or the existing building.
5. The Beechwood Developers and the Arco property owners have been in negotiations to purchase the easement but have been unable to come to an agreement on the purchase price.
6. The Beechwood Specific Plan DA stipulates that the City will obtain the easement upon notification that the Beechwood Developers has exhausted all efforts to procure the necessary easement.
7. The City hired Hamner Jewell and Associates to develop a comprehensive appraisal and negotiate the final purchase of the easement with the Arco property owner.
8. Hamner Jewell has successfully negotiated a tentative purchase agreement for the easement, subject to City Council approval.
9. The Beechwood Specific Plan DA also states that the Beechwood Developers will reimburse the City for purchase and acquisition of said easements.

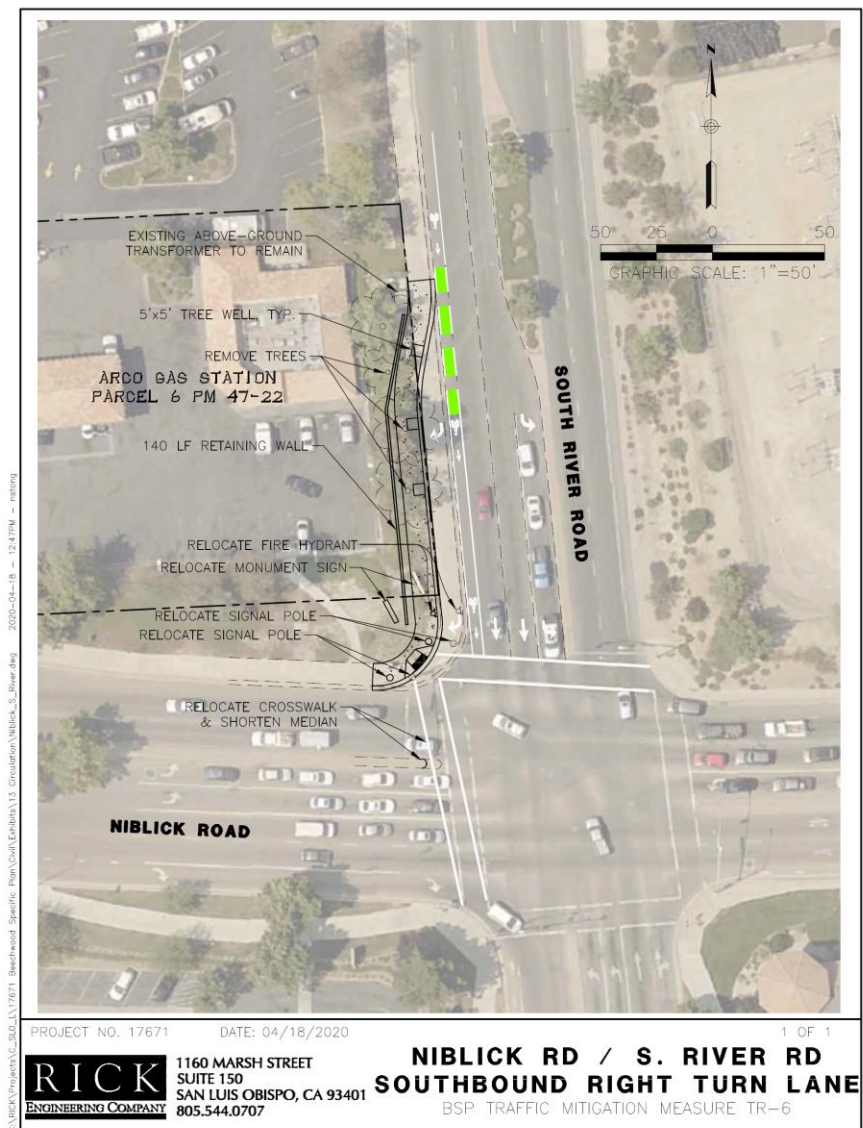
Options

1. Take no action;

2. Approve Resolution 24-XXX authorizing the City Manager to sign and record the Grant of Easement and Purchase Agreement, authorize the expenditure of \$54,000 to purchase the easement, and accept the Grant of Easement for public street and utility use for the City of El Paso de Robles.
3. Provide alternative direction to staff.

Analysis and Conclusions

The image below demonstrates the proposed improvement inside the new easement area. The new right turn requires that the South River Road be widened an additional 15 feet. The right turn lane will add additional capacity to the intersection by reducing right turn queuing. Reduced queuing will allow additional cars to make it through the intersection and thus reduce the time motorists spend at the signal. The City and the Arco property owner have agreed on a purchase price for the easement. The purchase



price is based on the Hamner Jewell appraisal in accordance with State Law that dictates property acquisition by Cities. The Arco property owner has signed the Easement Purchase Agreement (Exhibit B) and Grant of Easement Document (Exhibit A). The Grant of Easement document provides an irrevocable offer of dedication for the right-turn and utilities. Once the Easement Purchase Agreement is signed by

the City, an Escrow Account will be opened so payment can be made to the Arco Property Owner. Once the money has been transferred to the Escrow Account, the City will be able to record the grant of easement.

Fiscal Impact

The easement purchase price is \$54,000. The cost of the Hamner Jewell appraisal and negotiation services is \$28,150. The Beechwood Development Agreement Section 4.1.6.3 requires the Beechwood Owners to reimburse the City for all costs associated with easement procurement and as a result, there is no direct fiscal impact to the City.

CEQA

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Recommendation

Approve Resolution 24-XXX, accepting the Grant of Easement for public street and utility, and authorizing the City Manager to sign and record the Grant of Easement and Purchase Agreement.

Attachments

1. Resolution 24-XXX – Grant of Easement for Public Right of Way – Niblick/South River
 - a. Grant of Easement Document
 - b. Easement Purchase Agreement