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VC-006-923

REQUEST FOR RECORDATIO

Request of City Clerk for recordation of instrument, and return to,

City Clerk, City Hall, 3900 Main Street, Riverside, CA 92522

RESOLUTION NO. 18365

13945

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, CERTIFYING FINAL ENVIRONMENTAL IMPACT REPORT FOR SEVENTH STREET VACATION PROJECT, APPROVING THE SEVENTH STREET VACATION PROJECT (VC-006-923), ADOPTING FINDINGS, FACTS IN SUPPORT OF FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS; CONDITIONS OF APPROVAL, AND MITIGATION MONITORING AND REPORTING PROGRAM PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

FREE RECORDING - Exempt Pursuant to Government Code Section 5408

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WHEREAS, on or about October of 1992, the Riverside Unified School District ("District") applied to the City of Riverside ("City") to vacate an approximately 80 feet wide by 215 feet long <sup>west side</sup> section of Seventh Street between Franklin and Eucalyptus Avenues, which divides the District's Longfellow Elementary School campus (the "Project"); and

WHEREAS, the City assigned file number VC-006-923 to this application; and

WHEREAS, in accordance with the requirements of the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines and the City's CEQA Guidelines (collectively referred to as "CEQA"), the City prepared an initial study on the application for the proposed Project and determined, due to the potential for the Project to generate significant environmental impacts, that an environmental impact report ("EIR") was necessary; and

WHEREAS, in accordance with CEQA, the City prepared and distributed a Notice of Preparation ("NOP") to all appropriate responsible and trustee agencies stating that an EIR would be prepared. The NOP was also sent to all organizations and individuals requesting notice and to all property owners within 300 feet of the proposed project. Recipients of the NOP are listed in Exhibit B to

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1 the Draft EIR. All responses to the NOP were considered in the  
2 preparation of the Draft EIR; and

3 WHEREAS, in the process of completing the Draft EIR, inter-  
4 ested agencies and individuals were contacted to secure their  
5 input, which agencies and individuals are listed in the Final EIR;  
6 and

7 WHEREAS, the Draft EIR was completed and a Notice of  
8 Completion ("NOC") was filed with the California Office of Planning  
9 and Research on May 7, 1993 in accordance with the requirements of  
10 CEQA Guidelines section 15085. The NOC briefly described the  
11 Project and indicated that the Draft EIR was available, where and  
12 how long it was available for review, together with the deadline  
13 for submittal of comments on the Draft EIR. Copies of the Draft  
14 EIR were also sent to local and responsible agencies. Notice of  
15 availability of the Draft EIR was also published in the Riverside  
16 Press Enterprise on May 7, 1993 and sent to all interested parties  
17 and all property owners within three hundred (300) feet of the  
18 Project site; and

19 WHEREAS, the NOC and notice of availability provided a 45 day  
20 public review period commencing on May 7, 1993 and ending on June  
21 21, 1993; and

22 WHEREAS, the deadline for responding to the Draft EIR was  
23 subsequently extended at the request of the District to July 15,  
24 1993; and

25 WHEREAS, the City received written comments on the Draft EIR  
26 throughout this public comment period; and

27 WHEREAS, all comments on the Draft EIR concerning environ-  
28 mental issues that were received during the public review period

1 were evaluated by City staff and a written response was prepared in  
2 accordance with the requirements of CEQA Guidelines section 15088.  
3 The comments and responses thereto are included in the Final EIR;  
4 and

5 WHEREAS, the Environmental Protection Commission of the City  
6 held a public hearing on August 12, 1993 and recommended to the  
7 City Council that the EIR be certified as final; and

8 WHEREAS, the Planning Commission, during its public hearing  
9 held on September 9, 1993, heard testimony regarding the contents  
10 of the Draft EIR and approved the Project; and

11 WHEREAS, the Final EIR for the Project consists of (1) the  
12 Draft EIR dated April 16, 1993; (2) comments and responses to com-  
13 ments on the Draft EIR for the Seventh Street Vacation Project  
14 dated August 4, 1993; and (3) the mitigation monitoring and  
15 reporting program prepared for the Project; and

16 WHEREAS, the Final EIR contains the elements required by CEQA,  
17 including, but not limited to: (a) identification, description and  
18 discussion of all potentially significant environmental effects of  
19 the proposed project, both direct and indirect, and short and long  
20 term; (b) a description of mitigation measures proposed to minimize  
21 potential significant environmental effects of the proposed project  
22 identified in the Final EIR; (c) a description of those potential  
23 environmental effects which cannot be avoided or which can be miti-  
24 gated, but not to a level of insignificance; (d) a description of  
25 a range of reasonable alternatives to the proposed Project or to  
26 the location of the Project and evaluation of the comparative  
27 merits and potential significant environmental effects of the  
28 alternatives, including the "no project" alternative; (e) a dis-

1 cussion of cumulative impacts, in accordance with the requirements  
2 of CEQA Guidelines section 15130; and (f) a list of all federal,  
3 state and local agencies, other organizations and private indivi-  
4 duals consulted in preparing the EIR and the firm preparing the  
5 EIR; and

6 WHEREAS, the Final EIR contains a mitigation monitoring and  
7 reporting program designed to assure the implementation of measures  
8 imposed to reduce the significant environmental impacts of the  
9 project; and

10 WHEREAS, responses to comments made by public agencies were  
11 submitted to public agencies at least 10 days prior to certifying  
12 the Final EIR; and

13 WHEREAS, the City Council, during its public hearing on  
14 October 26, 1993, has heard, been presented with and is familiar  
15 with the information in the administrative record, has reviewed and  
16 considered the information in the Final EIR for completeness and  
17 compliance with CEQA and has independently reviewed and analyzed  
18 the EIR; and

19 WHEREAS, this portion of Seventh Street is no longer needed  
20 for either present or prospective public use based on the following  
21 conclusions in the Final EIR for the Project:

22 (a) This portion of Seventh Street is not a major  
23 arterial nor is it needed for through access.  
24 Alternate access is available via nearby parallel  
25 streets, including University Avenue, a major  
26 arterial. The current daily traffic volumes along  
27 the arterial, collector and local streets in the  
28

1 Project study area operate below the recommended  
2 capacities of the roadways.

3 (b) Increases in traffic volumes along the alternate  
4 streets as a result of full street vacation would  
5 be well below the design capacities of these  
6 streets. The effect of redistribution of traffic  
7 from Seventh Street to University Avenue would be  
8 nominal (on the order of approximately 5% of  
9 existing volumes). Average traffic volumes along  
10 University Avenue will continue to be below the  
11 capacity of a four-lane divided roadway.

12 (c) The resultant peak hour redistribution of traffic  
13 due to the vacation will not have a significant  
14 effect on the intersection levels of service in the  
15 Project study area.

16 (d) Since the projected increases in traffic as a  
17 result of the vacation are within the design capa-  
18 cities of these local roadways, there will be no  
19 change in accident frequency. There are no unique  
20 or unusual accident patterns in the Project area.

21 (e) The City's General Plan 2010 circulation network  
22 does not project that volumes along University  
23 Avenue in the vicinity of the Project area will  
24 increase above the estimated daily capacity.  
25 Therefore, no significant long-term traffic impacts  
26 are anticipated as a result of the vacation; and

27 WHEREAS, this portion of Seventh Street has been closed for  
28 nine months of the year for almost a decade during school hours

1 without significant impacts to public use of this portion of the  
2 street; and

3 WHEREAS, currently, the street is closed during school hours  
4 by the use of temporary barriers. These barriers do not, however,  
5 prevent cars and motorcycles from crashing into them and do not  
6 prevent gang members, prostitutes and other undesirable elements  
7 from accessing the campus during the day and night. Full street  
8 vacation will significantly increase the health, safety and welfare  
9 of the children attending Longfellow Elementary School by providing  
10 the District with full control of this portion of the street; and

11 WHEREAS, full street vacation will allow Longfellow students  
12 to enjoy a single consolidated campus as do all other students  
13 throughout the District; and

14 WHEREAS, approval of the Project is consistent with the City's  
15 General Plan.

16 NOW, THEREFORE, it is hereby resolved by the City Council of  
17 the City of Riverside based on the foregoing facts and circum-  
18 stances as follows:

19 1. The Seventh Street Vacation Project Final EIR reflects  
20 the independent judgment of the City.

21 2. The Seventh Street Vacation Project Final EIR has been  
22 completed and processed in compliance with the requirements of CEQA  
23 and is hereby certified as final.

24 3. As the decisionmaking body for the City of Riverside, the  
25 City Council reviewed and considered the information contained in  
26 the Final EIR and the administrative record prior to approving the  
27 Seventh Street Vacation Project.

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4. The area proposed for vacation is no longer needed for either present or prospective public use and Vacation No. VC-006-923 is hereby approved.

5. The City Council hereby adopts the Findings, Facts in Support of Findings, and Statement of Overriding Considerations attached hereto as Exhibit A and incorporated herein by reference.

6. The City Council hereby adopts the Conditions of Project Approval attached hereto as Exhibit B and incorporated herein by reference.

7. The City Council hereby adopts the mitigation monitoring and reporting plan prepared for the Project to implement all mitigation measures incorporated as part of the Project.

ADOPTED by the City Council and signed by the Mayor and attested by the City Clerk this 26th day of October, 1993.

Terry Frenzel  
Mayor, City of Riverside

ATTEST:

Karen E. Lindquist  
City Clerk  
City of Riverside

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I, Karen E. Lindquist, City Clerk of the City of Riverside, California hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a meeting of the City Council of the City of Riverside at its meeting held on the 26th day of October, 1993, by the following vote, to wit:

- Ayes:** Councilmembers Loveridge, Defenbaugh, Tavaglione, Clifford, Thompson and Pearson.
- Noes:** None.
- Absent:** Councilmember Clarke.

IN WITNESS WHEREOF, I have hereunto set my hand and affix the official seal of the City of Riverside, California, this 26th day of October, 1993.

Karen E. Lindquist  
City Clerk, City of Riverside



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PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

AND WHEN RECORDED MAIL TO:

281350

RECEIVED FOR RECORD  
AT 8:00 O'CLOCK

JUL 14 1994

Recorded in Official Records  
of Placerate County, California

Recorder

*[Signature]*

Fees \$

THIS SPACE FOR RECORDER'S USE ONLY

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION  
(Additional recording fee applies)

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