



## City Council Staff Report

**From: City Manager**

**Report Type: CONSENT CALENDAR**

**Lead Department: Administrative Services**

**Meeting Date: June 17, 2024**

Report #:2405-3108

### **TITLE**

Resolution to Vacate Portions of Three Public Service Easements at 1700 Embarcadero Road

### **RECOMMENDATION**

Staff recommends that the City Council adopt the attached resolution (Attachment A: Resolution to Summarily Vacate a Public Service Easement for 1700 Embarcadero Road) ordering the summary vacation of three public service easements in part or whole for utility and incidental purposes located on the commercial property at 1700 Embarcadero Road in Palo Alto, CA.

### **BACKGROUND**

The Grant of Easements documented in the Santa Clara County Official Records are as follows:

1. Book 8517, page 596, dedicated and accepted by the City on April 30, 1969;
2. Book 8535, page 632, accepted by the City on May 15, 1969; and
3. Book 8047, page 634, accepted by the City on March 6, 1968.

These easements are for public utility purposes and affect the property located at 1700 Embarcadero Road. The developer has requested that the entirety of the easements described in Book 8517, page 596 and Book 8535, page 632 and a portion of the easement described in Book 8047, page 634 on the property to be vacated for the development of a new automotive dealership ("Preexisting Easements").<sup>1</sup> The portion of the Preexisting Easements to be vacated previously served a transformer that is no longer in place. The City has accepted a new grant of easement, attached as Attachment B: Grant of Public Service Easement at 1700 Embarcadero Road ("Superseding Easement"), which will be used to serve a newly installed transformer. The Superseding Easement was sent for recording on June 4, 2024. The City's Utilities department has reviewed the vacation request and has determined that the portion of the easements to be vacated will be superseded by relocation (Attachment B: Grant of Public Service Easement at 1700 Embarcadero Road). Therefore, once the Superseding Easement is recorded, the

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<sup>1</sup> <https://www.cityofpaloalto.org/Departments/Planning-Development-Services/Current-Planning/Projects/1700-1730-Embarcadero-Road>

superseded portions of the Preexisting Easements may be vacated in accordance with the summary proceeding authorized in Section 8333 of the California Streets and Highways Code.

**FISCAL/RESOURCE IMPACT**

The Summary Easement Vacation Processing fee of \$1,980 as set forth in the FY 2024 Municipal Fee Schedule has been paid by the developer.

**ENVIRONMENTAL REVIEW**

Council action to relocate this public service easement is within the scope of the Mitigated Negative Declaration prepared for the 1700 & 1730 Embarcadero Road Auto Dealership Project and adopted by the Council on June 24, 2019 (#19PLN-00291).

**ATTACHMENTS**

Attachment A: Resolution to Summarily Vacate a Public Service Easement for 1700 Embarcadero Road

Attachment B: Grant of Public Service Easement at 1700 Embarcadero Road

**APPROVED BY:**

Lauren Lai, Administrative Services Director