



City Council Staff Report

From: City Manager

Report Type: CONSENT CALENDAR

Lead Department: Administrative Services

Meeting Date: December 18, 2023

Report #:2310-2191

TITLE

Approval of Easement at Greer Park, 1098 Amarillo Avenue, for Sewer Line Connecting Building at 2850 W. Bayshore Road; CEQA status – categorically exempt.

RECOMMENDATION

Staff recommends that Council authorize the City Manager or their designee to execute the attached Grant of Easement and Agreement (Attachment A) and Quitclaim Deed and Termination of Easement (Attachment B) to SummerHill West Bayshore LLC.

BACKGROUND

On April 3, 2023, the City Council approved the final subdivision map proposed by SummerHill Homes for a 48 unit attached townhome condominium project at 2850 West Bayshore Road.¹ As suggested in the report, an existing easement adjacent to the project, at Greer Park, needs to be relocated to provide utilities for the project and the neighboring property at 2800 West Bayshore Road.

ANALYSIS

SummerHill West Bayshore LLC, as successor in interest to Carrier Properties of Nevada, Inc., is an owner of an easement and right of way that was recorded in 1976 for sanitary sewer purposes at Greer Park. The easement also serves the property at 2800 West Bayshore Road. SummerHill has informed the City that, as a part of the project, maintenance needs to be performed on the improvements within the easement that could impact the park. To limit impacts to the park, the parties have agreed to the Grant of Easement and Agreement to realign the existing easement slightly to the south. The owner of 2800 West Bayshore Road is also willing to realign the easement, based on conversations with their property representative, although they are conducting their due diligence. To not hold up the condominium project at 2850 West Bayshore Road, SummerHill will quitclaim their interest in the existing easement and accept the new

¹ <https://cityofpaloalto.primegov.com/Portal/viewer?id=1720&type=0>

easement from the City, while the owner of 2800 West Bayshore Road retains their right to the existing easement until they also quitclaim their interest and agree to the new easement agreement.

FISCAL/RESOURCE IMPACT

The realignment of the existing easement will help reduce impacts by placing the new sewer connection away from playing fields, reducing the need to interrupt scheduled league play should maintenance be required. Therefore, no fees are charged for the preparation and recording of the easement.

STAKEHOLDER ENGAGEMENT

Staff will continue to engage with the owner of 2800 West Bayshore Road in an attempt to acquire all rights to the existing easement and offer a similar new easement for sanitary sewer purposes.

ENVIRONMENTAL REVIEW

The proposed relocation of a portion of an easement is categorically exempt from review under the California Environmental Quality Act (CEQA) pursuant to Title 14 California Code of Regulations Section 15305 as a minor alteration in land use limitations.

ATTACHMENTS

Attachment A: Grant of Easement Agreement

Attachment B: Quitclaim Deed and Termination of Easement

APPROVED BY:

Kiely Nose, Assistant City Manager