



# Council Agenda Correspondence

**DATE:** November 12, 2024

**TO:** Mayor and Council

**FROM:** Timmi Tway, Community Development Director

**Prepared by:** Callie Taylor, Senior Planner

**VIA:** Whitney McDonald, City Manager

**SUBJECT:** ITEM 7A – PUBLIC HEARING TO CONSIDER A RESOLUTION TO ABANDON PORTIONS OF SLACK STREET AND TO CONSIDER A DETACHMENT TO ADJUST CITY LIMIT BOUNDARIES

The following memorandum provides City staff responses, shown in *italics*, to questions received regarding the Cal Poly applications for abandonment of portions of Slack Street and detachment to adjust City limit boundaries. Staff determined it would be helpful to provide this memo to all Council Members and the public.

- 1) Request for further explanation regarding the finding that right-of-way at this location is unnecessary for present or prospective public use, as noted in the discussion on page 659 of the Council Agenda packet.**

### **Future Circulation Needs**

The General Plan Circulation Element designates Slack Street as a residential local street. The frontage improvements proposed on the east side of Grand for Vista Meadows and the existing frontage improvement on the west side of Grand are consistent with City standards. The abandonment of unused portions of Slack Street in these areas does not conflict with future circulation needs as frontages are or will be developed to City standard. The City has requested, and has included a condition of approval, to record a public pedestrian access easement on the sidewalk on the north side of Slack Street. The area is being abandoned so that Cal Poly will maintain the sidewalk and landscaped parkway, however, public access shall be preserved. **With buildout of Slack Street to current City standard and recordation of a pedestrian access easement, the finding can be made that the right-of-way at this location is unnecessary for present or prospective public use.**

*In order to abandon public right-of-way, the California Streets and Highways Code requires that a finding be made that the street “is unnecessary for present or prospective public use.” Staff recommends that the Council make this finding as identified in the resolution of approval based on the following factors:*

- The existing right-of-way on Slack Street is approximately 70-feet in width. On the east side of Grand Avenue, Slack Street is designated as local residential street by the General Plan Circulation Element, and would not require this full width for public improvements. Cal Poly will build frontage improvements to current City standard on the north side of Slack Street in*

*conjunction with the Vista Meadows project. This build-out will include widening of the existing vehicular travel lanes to 20-feet of pavement, a new 4-foot landscaped parkway, and a new 5-foot public pedestrian sidewalk on the north side of Slack Street, bringing the total street improvements on Slack Street to approximately 38 to 45-feet in width (varies based on area of intermittent sidewalk previously installed on south side of Slack). The remaining 25-feet of unused right-of-way beyond the back of the new northerly sidewalk is not needed for present or future public use as the street will be completed to City standard for a local residential road upon completion of the Vista Meadows project.*

- *The right-of-way proposed for abandonment on the west side of Grand Avenue was previously improved by Cal Poly with sidewalk and frontage improvements in 2020 in conjunction with the adjacent Cal Poly student housing project. The frontage is fully built out to current City standard. The street abandonment on both the east and west sides of Grand Avenue is proposed only in locations of Cal Poly frontage which will have complete street and frontage improvements constructed. Therefore, the excess right-of-way at all locations proposed with this application is not needed for current or future public use.*
- *The right-of-way abandonment is proposed at the edge of the curb on the north side of Slack Street. The City would maintain the public street travel lanes, while the area beyond the curb, including landscape and sidewalk, would be owned and maintained by Cal Poly upon abandonment. A condition is included in the resolution of approval to require a public pedestrian access easement be recorded to ensure future public access rights on the sidewalk along the north side are preserved. Public access in this location will be provided for present and future public use.*

**2) Provide clarification regarding how the following clause from the staff report (page 661 of the packet) is documented in the Resolution starting on page 665? How will this item be implemented?**

3. Cal Poly will acknowledge the partnership with the City for the Vista Meadows project.

*By abandoning the excess right-of-way on the east of Slack Street, the City is helping to facilitate the construction of the Vista Meadows faculty and staff housing project as designed, and therefore minimizing grading and environmental impact that would be required to build the project higher up on the Cal Poly property. City Council requested that Cal Poly acknowledge the partnership with City in facilitating the Vista Meadows project.*

*Cal Poly staff has committed to acknowledge this partnership and discussions between Cal Poly and City Staff have identified that this could be achieved through signage, written materials regarding the project, press releases, and other media*

*information describing the project. Since acknowledgment of the partnership is more of an informal and ongoing commitment, it has not been included as a specific condition of approval in the resolution of abandonment. However, Council may choose to add a condition of approval in the resolution to specify specific methods for acknowledging the partnership if this is desired.*

**3) Regarding the land east of Grand Avenue: Will the City be supplying water and sewer service to the Vista Meadows staff and faculty housing project?**

Water:

*Cal Poly has their own source of potable water supply (Whale Rock Reservoir) and does not rely on City water for campus development. Therefore, Cal Poly will not rely on City water supply for the Vista Meadows project. Whale Rock Reservoir is a source of water supply for the City of San Luis Obispo, Cal Poly, and the California Men's Colony. The City treats Cal Poly's Whale Rock Reservoir water at the City's Water Treatment Plant pursuant to existing Agreements between the City and Cal Poly (Board of Trustees of the California State University).*

*The Agreement Between the City of San Luis Obispo and the Board of Trustees of the California State University Regarding Capacity Interest in the Water and Sewer Systems (April 29, 2021) and Agreement Between the City of San Luis Obispo and the Board of Trustees of the California State University Regarding Water and Sewer Rates (April 29, 2021) stipulate Cal Poly's capacity interest in the City's Water Treatment Plant and associated costs for that capacity interest.*

Wastewater:

*Regarding wastewater, the City currently treats wastewater generated by Cal Poly. Pursuant to the 2021 Agreements noted above, Cal Poly pays for capacity interest in the City's Water Resource Recovery Facility (WRRF) and wastewater collections system (sewer system). The City would provide wastewater service for the Vista Meadows project pursuant to the existing Agreements.*

**4) Regarding the land west of Grand Avenue: Does abandonment include the sidewalk and parking meters that the City installed?**

*The Slack Street abandonment on the west side of Grand Avenue would include the area of new sidewalks which were recently installed by Cal Poly on the northerly frontage. This sidewalk was installed by Cal Poly in 2020 in conjunction with the adjacent student housing project. The abandonment of this portion of right-of-way would transfer ownership, maintenance, and liability of the new sidewalk from the City to Cal Poly. A public pedestrian access easement would be recorded prior to abandonment in order preserve public access on the sidewalk in perpetuity.*

*There is no on-street parking on the north side of the Slack Street along the Cal Poly frontage. There are no parking meters at this location. The abandonment will not have any impact to existing parking on the south side of Slack Street.*

*The image below shows the existing improvements installed on Slack Street east of Grand Avenue. A bike lane is located on the northerly side of Slack Street, with no parking signs along the entire frontage. The bike lanes will remain as City maintained right-of-way. On-street parking on the south side of Slack Street is not a part of the proposed street abandonment.*



- *Sidewalk on north side of Slack Street to be abandoned.*
- *Cal Poly to maintain northerly sidewalk.*
- *Pedestrian access easement will be recorded.*