

Responses to Council Questions and Comments

9/16/2024

Item #5: Resolution Adopting the Summary Vacation of a 1-Foot-Wide, Non-Access Strip Public Easement Fronting Berger Lane, Located at 755 Paula Lane, on Assessor Parcel Number 150-043-024

- **Question:** Why ask for this now? What does the homeowner gain?
 - **Response:** The ± 0.30-acre project site is a through lot fronting Paula Lane and backing up to Berger Lane. The front 1/3-portion of the lot is developed with a single-family residence that precludes access to ± 8,000 SF of undeveloped lot in the rear from Berger Lane. The property owner would like to be able to access the lot from Berger Lane so that an Accessory Dwelling Unit may be constructed or that the property may be eligible for SB 9 Urban Lot Split subdivision.
- **Question:** Do we have similar easements on properties nearby? Should this be a more holistic approach than just one property?
 - **Response:** There are three adjacent lots that have a similar Non-Access easement. City staff believe the Non-Access easement was recorded to prevent access to lots from Paula Lane, which is unimproved. This technique or approach seems to have been commonly applied to through lots several decades ago, but it's rarely, if ever, used today. This is a property owner-submitted application, and the applicant indicates that there was outreach with one of the owners next door property owners, but they didn't seem to be interested in joining the application. City staff would support removal of all of the Non-Access easements, but such a multi-property approach would require extended time to negotiate with other property owners, and some additional cost, with no clear added benefit to the City.