PLANNING COMMISSION STAFF REPORT

To: Chairman & Planning Commission
From: Shane Stueckle, Deputy Town Manager
Alex Qishta, Project Engineer
Date: August 5, 2014
For Commission Meeting: August 12, 2014

Subject: Resolution No. 14-
Street Vacation SV-01-14, Sage Avenue
Approximately ten feet (10') by one hundred thirty- two feet (132') easement on the southwest corner of Sage Avenue and Hidden Gold Drive

Prior Commission Review: There has been no prior Commission review of this matter.

Recommendation: That the Planning Commission finds that the street vacation, SV-01-14, is consistent with the General Plan and General Plan Circulation Element, and recommends to the Town Council to vacate an approximate 10' x 132' easement on the southwest corner of Sage Avenue and Hidden Gold Drive, as identified on Exhibit A to this staff report, being a portion of APN 585-362-01, and forwards that recommendation to the Town Council.

Executive Summary: The Streets and Highway Code Section 8300 et. el. permits the Town to vacate a street easement only upon a finding supported by substantial evidence that the easement is no longer needed for vehicular traffic and that the street is unnecessary for present or prospective public use.

The Planning Commission reviews all requests for street vacations for consistency with the General Plan, Circulation Element and all other Town circulation requirements and forwards a recommendation to the Town Council for their consideration.

Order of Procedure:

Request Staff Report
Request Public Comment
Council Discussion/Questions of Staff
Motion/Second
Discussion on Motion
Call the Question (Roll Call Vote)

Discussion: A proposal has been submitted to the Town of Yucca Valley by Copper Hills Homes, LLC/Sage Estates to vacate a 10 x 132' easement located adjacent to the westerly property line of APN 585-362-01.

____ Department Report	____ Ordinance Action	X Resolution Action	____ Public Hearing
____ Consent	____ Minute Action	____ Receive and File	____ Study Session

The General Plan Update refers to that segment of Sage Avenue as a Local road with 60 feet of right-of-way. The old General Plan refers to that segment of Sage Avenue as a Collector road with 80 feet of right-of-way.

Section 8300 et. el. of the Streets and Highways Codes requires the Town Council to set by resolution or ordinance, a public hearing date for action on the request for vacation. Adoption of a Resolution will set the date, time and place for the public hearing, and identified the location of the proposed easement vacation. The vacation is not final until Council action at the Public Hearing.

Alternatives: Staff recommends no alternative actions.

Attachments:

Resolution PC-14-
Request to Vacate Easement
Exhibit A, Proposed Easement Vacation
Assessor's Parcel Map
Streets and Highways Code Section 8330
New General Plan Roadway Classification
Old General Plan Roadway Classification
Notice of Exemption
Circulation Element Map

RESOLUTION NO. PC-14-

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, RECOMMENDING THAT THE TOWN COUNCIL APPROVES STREET VACATION SV-01-14, VACATING THAT PORTION OF EASEMENT ON ASSESSOR'S PARCEL NO. 585-362-01 AS IDENTIFIED ON EXHIBIT A TO THIS RESOLUTION

WHEREAS, the Planning Commission is considering the vacation of approximately 10' x 132' of access right of way on the southwest corner of Sage Avenue on APN 585-362-01; and

WHEREAS, the Planning Commission of the Town of Yucca Valley, California, has determined the easement identified is neither necessary for future circulation purposed nor needed for existing access by properties in the surrounding area; and

WHEREAS, the Planning Commission has considered the General Plan and General Plan Circulation Element, and the Planning Commission finds that the easement is not necessary for circulation purposes or for implementation of any portion of General Plan Policy; and

NOW, THEREFORE, THE PLANNING COMMISSION OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, RESOLVES AS FOLLOWS:

Section 1: Street Vacation, SV-01-14, an area measuring approximately 10' by 132' at the southwest corner of Sage Avenue on APN 585-362-01, and as identified in Exhibit A, are recommended to be vacated by the Town Council.

PASSED, APPROVED AND ADOPTED this 12TH day of August 2014.

_____
Planning Commission Chairman

_____
Planning Commission Secretary

Street Vacation Application

Date Received 09/16/14
By DOLSEN
Fee $ 1340
Case #

☐ Entire Street ☑ Portion of Street

General Information

APPLICANT Copper Hills Homes, LLC / Sage Estates Phone 760.365.0649 Fax

Mailing Address 8514 Barberry Ave. Email edward878@cs.com or vgreengolf@aol.com

City Yucca Valley State CA Zip 92284

REPRESENTATIVE Nolte V5 / Bill Warner Phone 760.341.3101 Fax 760.341.5999

Mailing Address 42-829 Cook St., Suite 104 Email bill.warner@nv5.com

PROPERTY OWNER Shack WE Jr Family Trust Phone 760.365.0649 Fax

Mailing Address Same as applicant Email

City State Zip

Project Information

Street Name: Sage Ave.

Assessor Parcel Number(s) of adjacent parcels:
(Please provide a copy of the Assessor Parcel Map, with the portion to be vacated identified)
0585-362-01

Nearest cross street(s): Hidden Gold Drive

Length of street to be vacated: ~~± 152 feet~~ 132 feet

Width of street to be vacated: ~~± 7.00 feet~~ 10 feet

Legal description of street, alley, or public easement to be vacated (attach additional pages if needed)
See attached exhibits

Applicant Signature

Property Owner Signature

Application modified 08-02-12

Owner/Applicant Authorization

Applicant/Representative: I/We have reviewed this completed application and the attached material. The information included with this application is true and correct to the best of my/our knowledge. I/We further understand that the Town may not approve the application as submitted, and may set conditions of approval. Further, I/We understand that all documents, maps, reports, etc., submitted with this application are deemed to be public records. This application does not guarantee approval or constitute a building permit application.

Signed: _____

Date: 4-16-14

Property Owner: I/We certify that I/We are presently the legal owner(s) of the above described property (If the undersigned is different from the legal property owner, a letter of authorization must accompany the form). Further, I/We acknowledge the filing of this application and certify that all of the above information is true and accurate. I/We understand that I/We are responsible for ensuring compliance with conditions of approval. I/We hereby authorize the Town of Yucca Valley and or/its designated agent(s) to enter onto the subject property to confirm the location of existing conditions and proposed improvements including compliance with applicable Town Code Requirements. Further, I/We understand that all documents, maps, reports, etc., submitted with this application are deemed to be public records. This application does not guarantee approval or constitute a building permit application. I am hereby authorizing

Nolte V5

to act as my agent and is further authorized to sign any and all documents on my behalf.

Signed: _____

Dated: 4-16-14

Town of Yucca Valley
Community Development Department
Planning Division
58928 Business Center Dr
Yucca Valley, CA 92284
760 369-6575 Fax 760 228-0084
www.yucca-valley.org

EXHIBIT 'A'

LEGAL DESCRIPTION

THAT PORTION OF THE EAST HALF OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 5 EAST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, TOWN OF YUCCA VALLEY, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 89 OF TRACT 5964, AS RECORDED IN MAP BOOK 76, PAGES 83 THROUGH 85, IN THE OFFICE OF THE RECORDER OF SAID COUNTY;

THENCE N 0° 26' 00" E ALONG THE EAST LINE OF SAID LOT 89 A DISTANCE OF 131.85 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 20.00 FEET;

THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90° 41' 06", A DISTANCE OF 31.66 FEET;

THENCE N 89° 44' 54" E A DISTANCE OF 10.00 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 20.00 FEET;

THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90° 41' 06", A DISTANCE OF 31.66 FEET TO A LINE WHICH IS 10.00 FEET EASTERLY OF , AND PARALLEL TO SAID EAST LINE OF SAID LOT 89;

THENCE S 0° 26' 00" W, ALONG SAID PARALLEL LINE A DISTANCE OF 131.97 FEET;

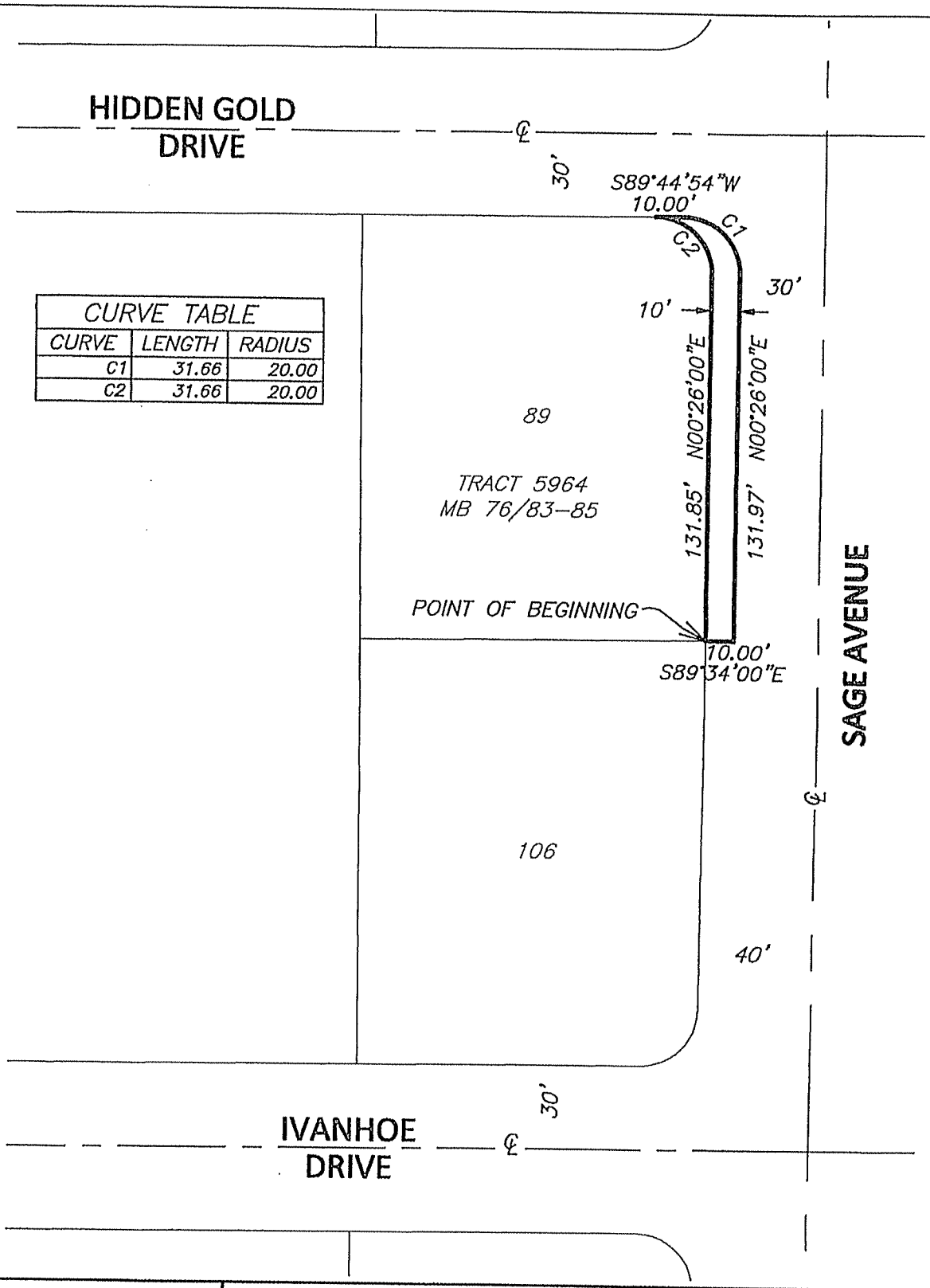
THENCE N 89° 34' 00" W A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

PREPARED BY:

6/10/14

WILLIAM H. WARNER, R.C.E. 23256 DATE
NOLTE ASSOCIATES, INC.

REGISTERED PROFESSIONAL ENGINEER
WILLIAM H. WARNER
No. 23256
Exp. 12/31/15
CIVIL
STATE OF CALIFORNIA



CURVE TABLE		
CURVE	LENGTH	RADIUS
C1	31.66	20.00
C2	31.66	20.00

NOLTE
BEYOND ENGINEERING
42-829 COOK STREET, SUITE 104 PALM DESERT, CA 92211
760.341.3101 TEL 760.341.5999 FAX WWW.NOLTE.COM

EXHIBIT B

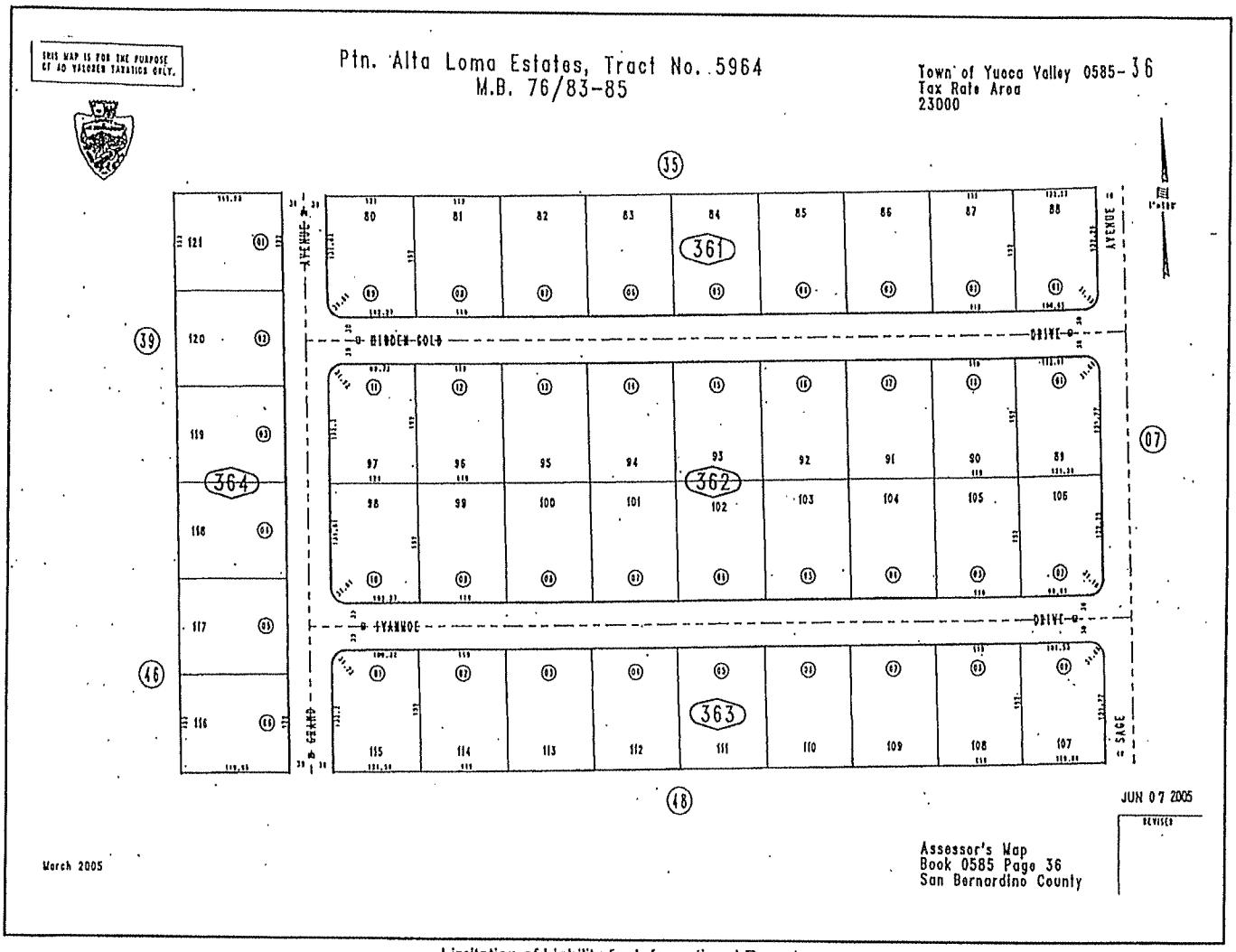
PREPARED FOR: COPPER HILLS HOMES DATE SUBMITTED: 05/08/14

SHEET NUMBER 1 OF 1 SHEETS

JOB NUMBER YVB021300

First American

*my*FirstAm™ **Tax Map** , , CA



Limitation of Liability for Informational Report

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STREETS AND HIGHWAYS CODE
SECTION 8330-8334.5

8330. (a) The legislative body of a local agency may summarily vacate a street or highway that has been superseded by relocation.

(b) A street or highway shall not be summarily vacated pursuant to this section if vacation would do either of the following:

(1) Cut off all access to a person's property which, prior to relocation, adjoined the street or highway.

(2) Terminate a public service easement, unless the easement satisfies the requirements of Section 8333.

8330.5. (a) Subject to subdivisions (b) and (c), the commission may retain, relinquish to a local agency pursuant to Section 73, or summarily vacate a state highway that has been superseded by relocation.

(b) The commission shall not vacate a state highway unless the commission has first given a notice of relinquishment pursuant to Section 73 and the legislative body of the local agency has protested within the prescribed 90-day period that the highway is not needed for public use and should be vacated by the commission.

(c) If vacation of a state highway would cut off all access to the property of any person which, prior to relocation, adjoined the highway, the commission shall either retain the highway or relinquish it pursuant to Section 73.

8331. The legislative body of a local agency may summarily vacate a street or highway if both of the following conditions exist:

(a) For a period of five consecutive years, the street or highway has been impassable for vehicular travel.

(b) No public money was expended for maintenance on the street or highway during such period.

8332. The legislative body of a local agency may summarily vacate a street or highway pursuant to an agreement entered into with the department pursuant to Section 100.2 to close the street or highway at or near the point of its interception with a state freeway.

8333. The legislative body of a local agency may summarily vacate a public service easement in any of the following cases:

(a) The easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation.

(b) The date of dedication or acquisition is less than five years, and more than one year, immediately preceding the proposed vacation, and the easement was not used continuously since that date.

(c) The easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement.

8334. The legislative body of a local agency may summarily vacate any of the following:

(a) An excess right-of-way of a street or highway not required for street or highway purposes.

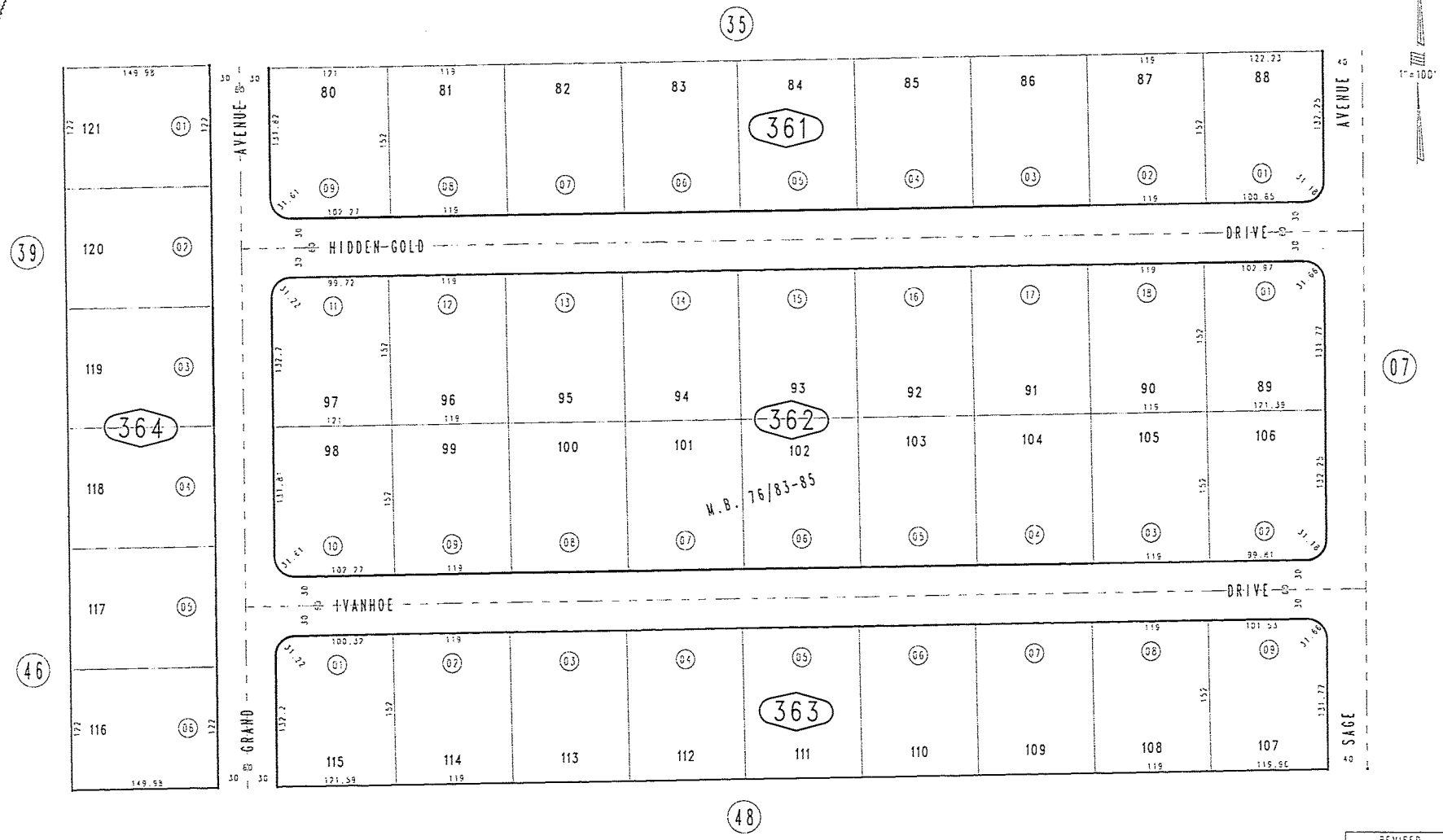
(b) A portion of a street or highway that lies within property under one ownership and that does not continue through such ownership or end touching property of another.

8334.5. Notwithstanding any other provision of this article, a street, highway, or public service easement may not be summarily vacated if there are in-place public utility facilities that are in use and would be affected by the vacation.

THIS MAP IS FOR THE PURPOSE OF AD VALOREM TAXATION ONLY.

Ptn. Alta Loma Estates, Tract No. 5964
M.B. 76/83-85

Town of Yucca Valley 0585- 36
Tax Rate Area
23000



Ptn. S.E.1/4, Sec. 11
T.1S., R.5E.

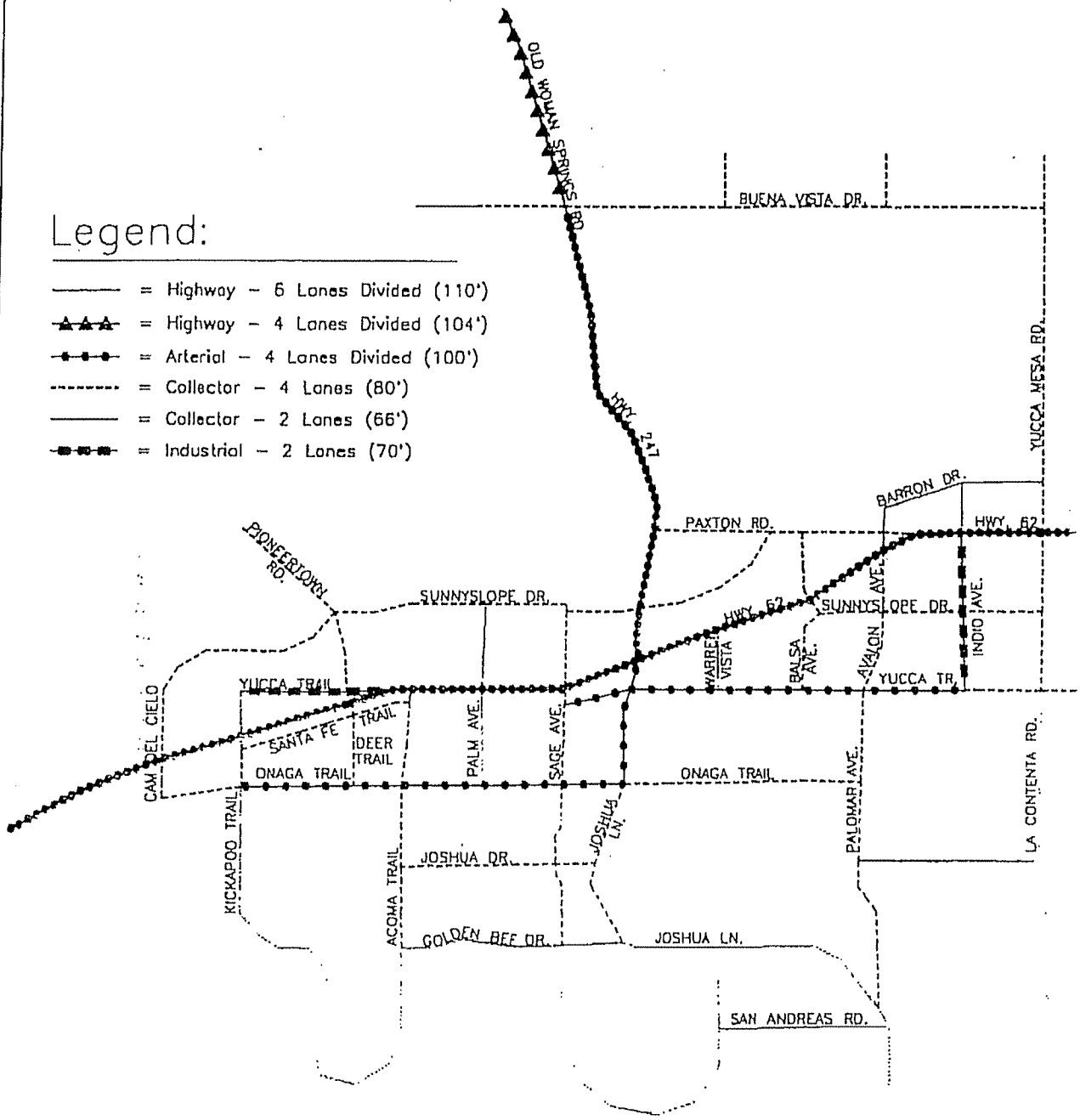
Assessor's Map
Book 0585 Page 36
San Bernardino County

REVISED

March 2005

P.303

TOWN OF YUCCA VALLEY
CIRCULATION PLAN



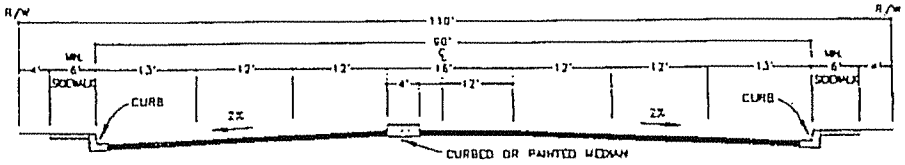
TOWN OF YUCCA VALLEY
GENERAL PLAN
CIRCULATION ELEMENT

636-94-001:26

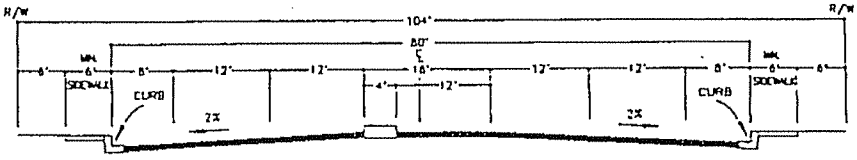
EXHIBIT III-2

Robert Kahn, John Kain
& Associates, Inc.

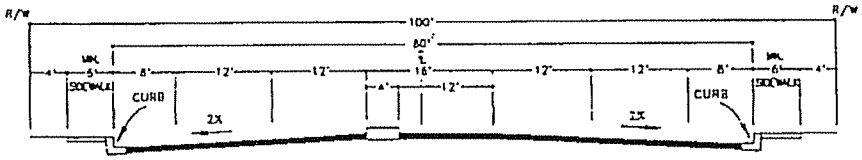
PREFERRED PLAN ROADWAY CROSS-SECTION



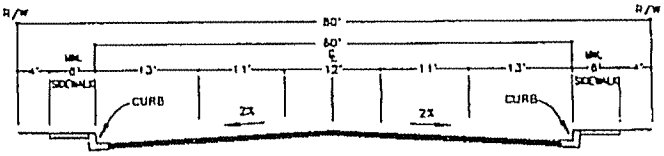
HIGHWAY – 6 LANES DIVIDED



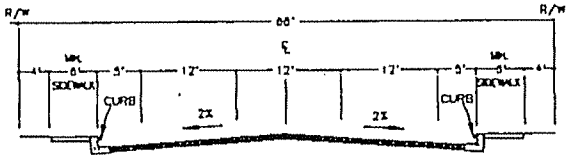
HIGHWAY – 4 LANES DIVIDED



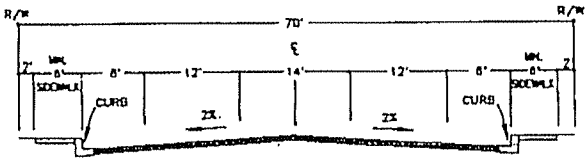
ARTERIAL – 4 LANES DIVIDED



COLLECTOR – 4 LANES (WITH OPTIONAL STRIPED MEDIAN LANE)



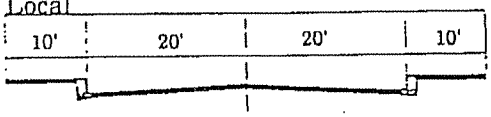
COLLECTOR – 2 LANES (WITH OPTIONAL STRIPED MEDIAN LANE)



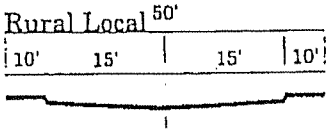
INDUSTRIAL – 2 LANES (WITH STRIPED MEDIAN LANE)

*PART WIDTH STREET SECTION FOR ALL COLLECTOR STREETS – 34' IMPROVEMENTS ON 48' R/W

Local 60'



Rural Local 50'



636-94-001:13A

EXHIBIT III-3

Robert Kahn, John Kain & Associates, Inc.

roads and utility lines and services (Also see Public Buildings, Facilities and Utilities Element).

Functional Classification

The classification of a roadway is intended to establish its function or role in the overall circulation system. It establishes the hierarchy of streets in terms of their purpose in relation to movement of through traffic versus provision of access to adjacent land uses.

The hierarchy of roadway classifications ranges from highways (with control of access, high speed-high volume traffic and emphasis on longer-distance travel) to local streets/cul-de-sacs (with unlimited access to fronting properties, low speed-low volume traffic, emphasis on multi-purpose use of the paved street section for travel, parking, pedestrian, and bicycle activity).

The roadway classifications and typical sections required in support of the Town of Yucca Valley Circulation Plan are identified on Exhibit III-3. This exhibit presents recommended cross-sections which include new designations as compared to the previous circulation plan.

Relative to the previously circulated plan, the following roadway network changes are recommended:

- Extend Kickapoo Trail southeast as a 2-lane Collector creating a linkage with a southern extension of Acoma Trail.

- Extend Sage Avenue south as a 2-lane Collector, connecting east to the southern extension of Warren Vista Avenue.

- Create an additional east/west corridor north of Highway 62 by linking Sunnyslope Drive east from Sage Avenue as a 4-lane Collector continuing north of the airport to Paxton Road. Sunnyslope Drive would also extend west from Pioneertown Road as a 4-lane Collector to Camino Del Cielo.

- Add Sunnyslope Drive as 4-lane Collector from Balsa Avenue east to La Contenta Road.

- Extend Golden Bee Drive west from Palm Avenue as a 2-lane Collector to Acoma Trail.

Revise the classification of the following previously circulated network map General Plan roadways:

- Downgrade Old Woman Springs Road/Highway 247 North of Buena Vista Drive from a 6-lane divided highway to a 4-lane divided highway.

- Downgrade Avalon Avenue between Highway 62 and Yucca Trail to a 4-lane Collector classification from a 4-lane divided Arterial classification.

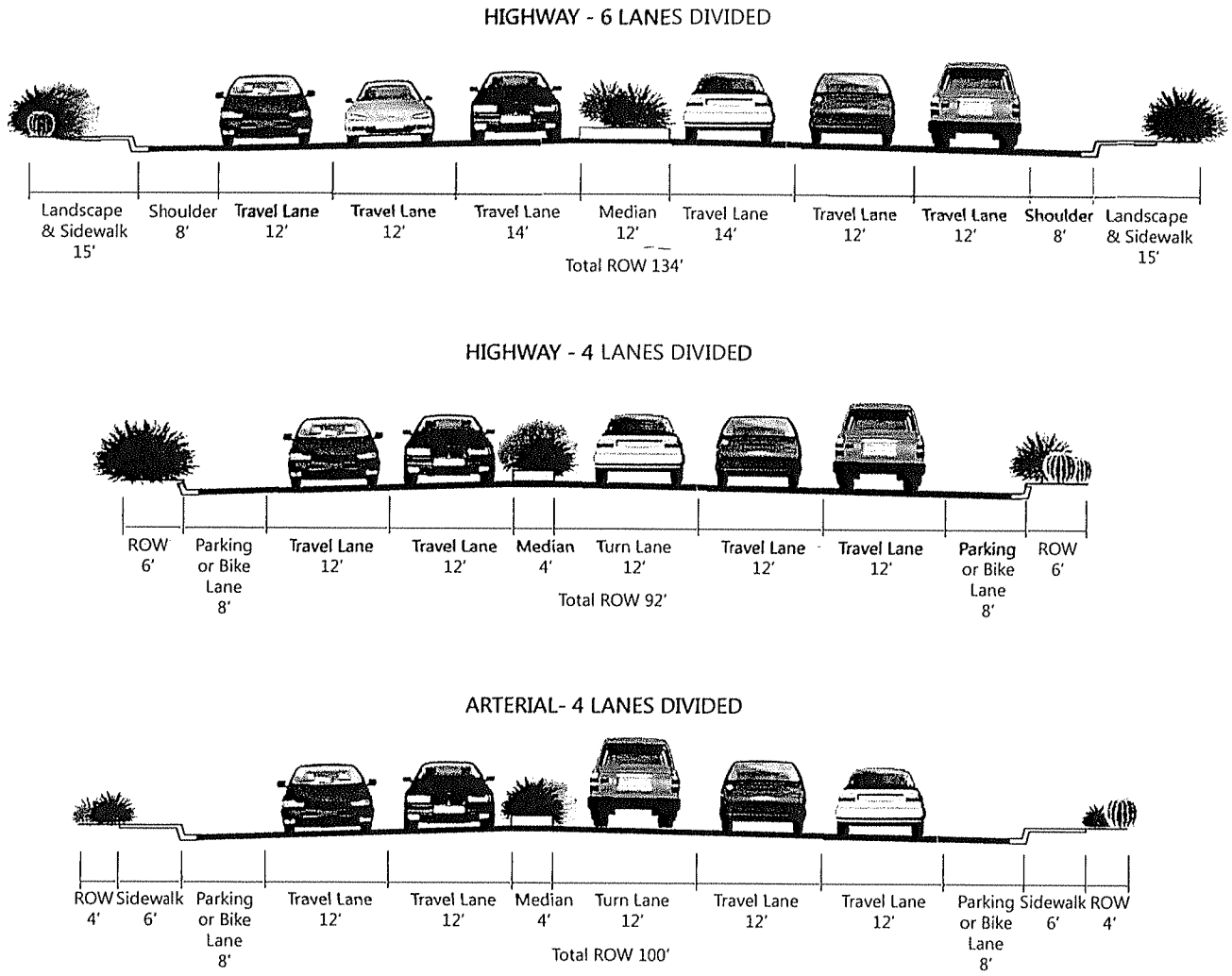
- Upgrade Yucca Trail east of Palomar Avenue to Indio Avenue to a 4-lane divided Arterial classification from a 2/4 lane Collector classification.

  Revise the classification of the following General Plan roadway segments to a 4-lane Collector classification from a 2/4 lane Collector classification:

- Buena Vista Drive
- Paxton Road
- Sunnyslope Drive
- Yucca Trail between Palomar Avenue and Indio Avenue
- Yucca Trail east of Indio Avenue
- Onaga Trail between Camino Del Cielo and Kickapoo Trial
- Onaga Trail east of Sage to Palomar Avenue
- Joshua Drive between Acoma Trail and Joshua Lane
- Camino Del Cielo north of Onaga Trail
- Kickapoo Trail between Onaga Trail and Santa Fe Trail
- Santa Fe Trail
- Acoma Trail south of Highway 62 to the extension of Golden Bee Drive
- Sage Avenue south of Sunnyslope Drive to Golden Bee Drive
- Balsa Avenue
- Palomar Avenue
- Yucca Mesa Road North of Yucca Trail

Adequate intersection performance during peak traffic hours can be insured with intersection geometrics which satisfy turning movement and through traffic capacity demands. In many instances, this may require dual left turn lanes, and right turn deceleration lanes on intersection approaches of the major roadway. By insuring that sufficient right-of-way is reserved at the critical intersections within the roadway system, it will be possible to implement the approach lane geometrics necessary to provide the required Level of Service.

As development within the Town of Yucca Valley occurs, the improvement of the area-wide roadway system must occur concurrently in order to provide an adequate Level of Service. To insure that funds from developers and/or area-wide fee programs are appropriately targeted to ongoing circulation



Yucca Valley Circulation Element - Transportation Impact Study

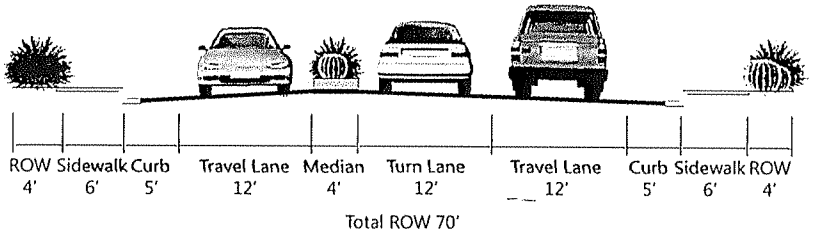
FEHR PEERS

Proposed Roadway Network - Cross-Sections

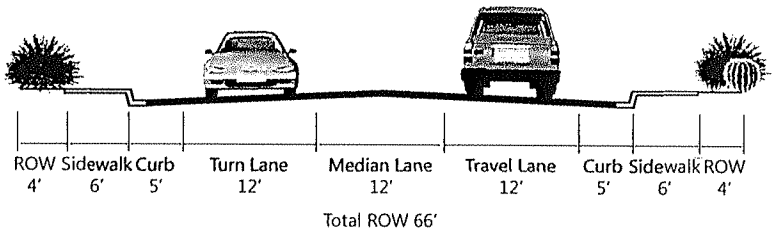
Path: N:\Projects\Non_SanJose_Projects\OC Projects\OC11_0177_Yucca_Valley\TIS_Fig_4-1_RoadwayCrossSections.mxd

Figure 4-1b

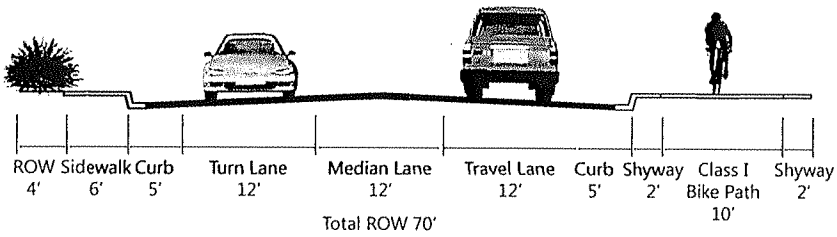
ARTERIAL - 2 LANES DIVIDED



COLLECTOR - 2 LANES (WITH OPTIONAL STRIPED MEDIAN LANE)



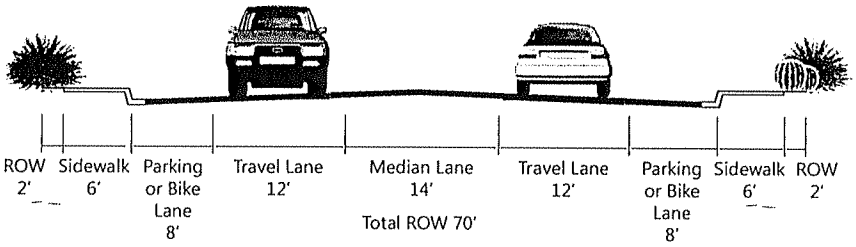
COLLECTOR WITH CLASS I BIKE PATH - 2 LANES (WITH OPTIONAL STRIPED MEDIAN LANE)



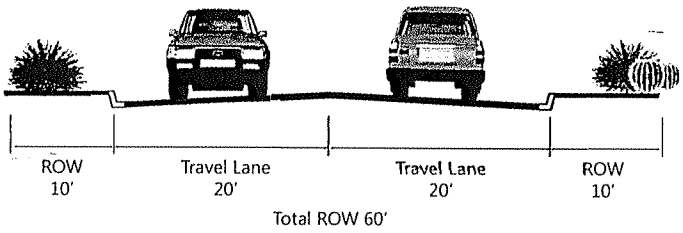
Proposed Roadway Network - Cross-Sections

Figure 4-1c

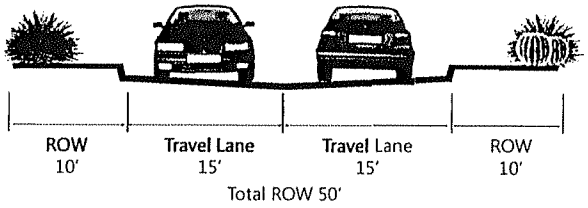
INDUSTRIAL - 2 LANES (WITH STRIPED MEDIAN LANE)



LOCAL



RURAL LOCAL



Notice of Exemption

Form D

To: ☐ Office of Planning and Research
PO Box 3044, 1400 Tenth Street, Room 222
Sacramento, CA 95812-3044

☑ County Clerk
County of San Bernardino
385 N. Arrowhead, 2nd Flr.
San Bernardino, CA. 92415

From: (Public Agency) Town of Yucca Valley
58928 Business Center Drive
Yucca Valley, CA 92284
(Address)

Project Title: Street Vacation, SV-01-14 Sage Avenue

Project Location - Specific:

The project is at the southwest corner of Sage Avenue and Hidden Gold Drive and is identified as APN:585-362-01.

Project Location – City: Yucca Valley **Project Location – County:** San Bernardino

Description of Project:

A proposal to vacate a 7' by 152' easement along Sage Ave, at the southwest corner of Sage Ave and Hidden Gold Dr.

Name of Public Agency Approving Project: Town of Yucca Valley

Name of Person or Agency Carrying Out Project: Copper Hills Homes, LLC

Exempt Status: (*check one*)

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☑ Categorical Exemption. State type and section number: Section 15301, Class 1 Existing Facilities
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

The project is an existing roadway and involves no expansion

Lead Agency Contact Person: Shane Stueckle Area Code/Telephone/Extension: (760)369-6575 X305

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: _____ Date: _____ Title: _____

☑ Signed by Lead Agency
☐ Signed by Applicant

Date received for filing at OPR: _____

Revised May 1999

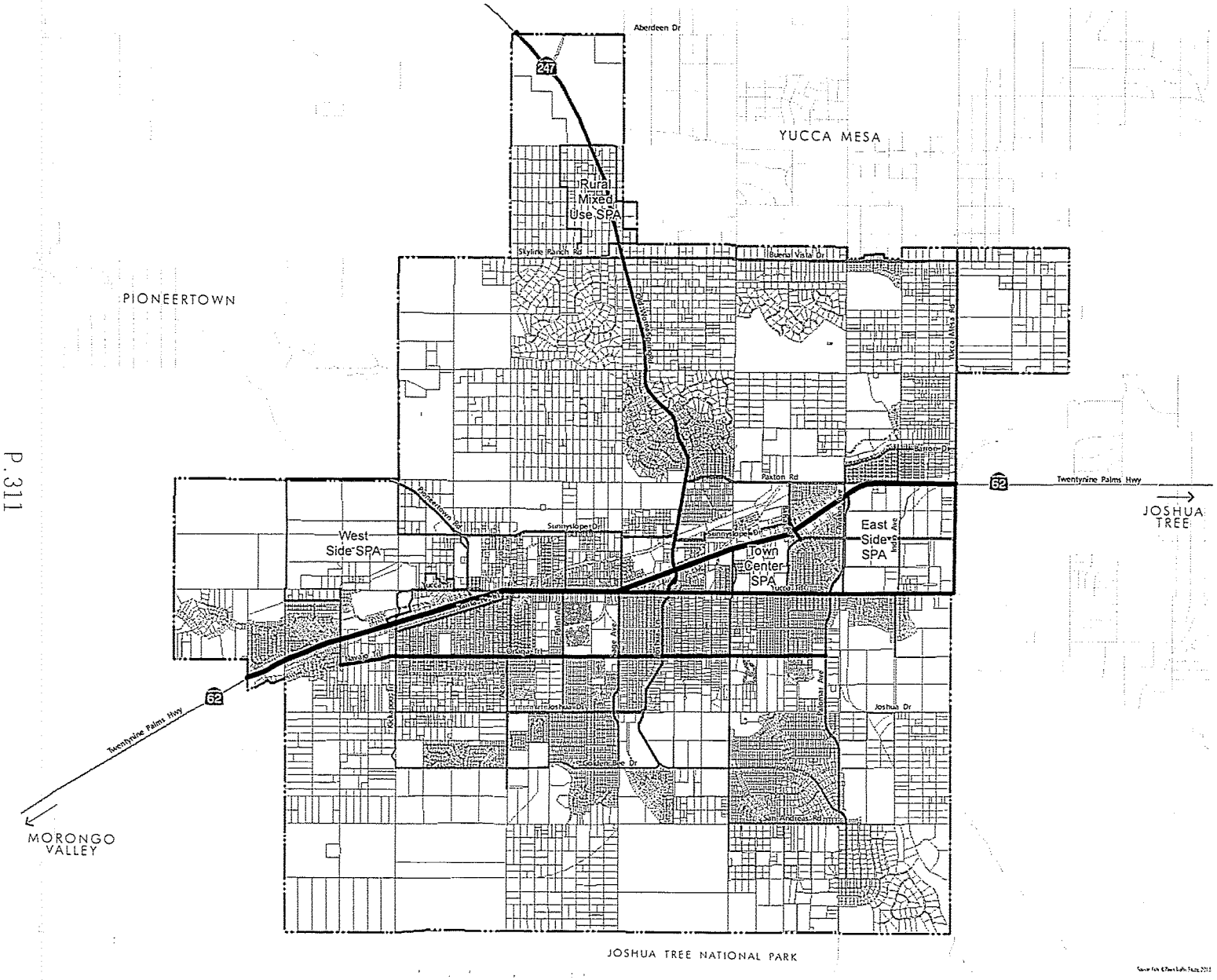


Figure C-1

ROADWAY CLASSIFICATIONS AT GENERAL PLAN BUILDOUT

ROADWAY CLASSIFICATIONS

- Highway – 6 Lanes Divided – 134'
- Highway – 4 Lanes Divided – 92'
- Arterial – 4 Lanes Divided – 100'
- Arterial – 2 Lanes – 70'
- Industrial – 2 Lanes with Striped Median – 70'
- Collector – 2 Lanes – 66'
- SPA - Special Policy Area
- Town Limits

NOTE: Illustrates future roadway classifications needed to handle the vehicular trips generated as a result of the buildout of the General Plan and applicable regional plans. Assumes all roadways are operating at Level of Service D or better.

YUCCA VALLEY GENERAL PLAN

TYV-01 2/4/2014

0 1,500 3,000 6,000 Feet

THE PLANNING CENTER DC&E