



*City of Arts & Innovation*

# City Council Memorandum

**TO: HONORABLE MAYOR AND CITY COUNCIL** **DATE: JANUARY 9, 2018**

**FROM: COMMUNITY & ECONOMIC DEVELOPMENT** **WARD: 4**  
**DEPARTMENT**

**SUBJECT: PLANNING CASE P17-0648 BY CRAIG COOK OF GABEL, COOK & ASSOCIATES, INC., ON BEHALF OF JAMES AND DIANA HARRELL, FOR THE SUMMARY VACATION OF 0.56 ACRES OF UNACCEPTED OFFER OF DEDICATION FOR TURRELL COURT, AN UNIMPROVED CUL-DE-SAC, AT TURRELL WAY AND WEST OF WOOD ROAD**

## **ISSUE:**

Approve a proposal by Craig Cook of Gabel, Cook and Associates, Inc. on behalf of James and Diana Harrell, to summarily vacate an unaccepted offer of dedication for the construction of Turrell Court, currently an unimproved cul-de-sac 60 feet in width and 400 feet in length, totaling approximately 0.56 acres, situated at the terminus of Turrell Way and west of Wood Road.

## **RECOMMENDATIONS:**

That the City Council:

1. Approve Planning Case P17-0648 for a Summary Vacation, subject to the attached recommended conditions;
2. Adopt a resolution vacating approximately 0.56 acres of unaccepted offer of dedication for street and public utility purposes (Turrell Court) (Attachment 3); and
3. Authorize the City Manager to execute quitclaim deeds as necessary.

## **BACKGROUND:**

Parcel Maps No. 13307 and 13473, each consisting of a four-lot subdivision at the terminus of Turrell Way and west of Wood Road, were recorded in 1979. The subdivisions included offers of dedication for future right-of-way improvements, named Turrell Court. The offers of dedication were planned to be improved as a cul-de-sac, approximately 60 feet wide and 400 feet long, to provide access to the two subdivisions. However, the offers of dedication were never accepted by the Riverside County Board of Supervisors and the cul-de-sac was never constructed.

The City annexed this area in 2007 under Annexation 97 (Berry Road, Resolution No. 21167), but did not accept the offers of dedication identified on either parcel map. Subsequently, single-family

residences were constructed on seven of the eight lots established under the two parcel maps. A shared private driveway was established by recordation of a private access easement to provide access to residences constructed on the adjoining landlocked parcels.

## **DISCUSSION:**

This request is to summarily vacate Turrell Court, an unimproved cul-de-sac approximately 60 feet wide, 400 feet in length, and 0.56 acres (24,535 square feet) in area. The offer of dedication to be vacated is unimproved, with the exception of portions of a paved private driveway easement providing access to landlocked parcels. Should this summary vacation be approved, this case will quit claim the offers of dedication for street and public utilities purposes and eliminate Turrell Court.

The following is a discussion of the facts and findings required for approval of a summary vacation:

**1. *The property is excess right-of-way and is not required for street purposes.***

The area is not needed to access existing public right-of-way and is not designated by the General Plan Circulation and Community Mobility Element, Master Plan of Roadways as a local, collector or arterial street. The area to be vacated is not required for street purposes.

**2. *Access to adjoining properties will not be affected.***

Access to adjacent properties and public streets will not be affected. The adjacent single-family residential properties take access to Wood Road via a paved private driveway easement, recorded on title to Lots 2, 3 and 4 of Parcel Map No. 13473.

**3. *These portions of the streets have been closed and impassable as a public road and no public funds have been expended on its maintenance for the last five years.***

The area to be vacated has not been accepted as right-of-way and has not been improved and is therefore impassable as a public road. No public funds have been expended for maintenance of the offer of right-of-way dedication for street purposes within the last five years.

## **FISCAL IMPACT:**

There is no impact to the General Fund, since all project costs are borne by the applicant.

Prepared by: Rafael Guzman, Community & Economic Development Director  
Certified as to  
availability of funds: Adam Raymond, Chief Financial Officer/City Treasurer  
Approved by: Al Zelinka, FAICP, Assistant City Manager  
Approved as to form: Gary G. Geuss, City Attorney

### **Attachments:**

1. Aerial Photo
2. Recommended Conditions
3. Summary Vacation Resolution
4. Legal Description and Plat Map