



City of Arts & Innovation

City Council Memorandum

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

FROM: COMMUNITY & ECONOMIC DEVELOPMENT **WARD: 3**
DEPARTMENT

SUBJECT: PLANNING CASE P17-0632 BY CRAIG COOK OF GABEL, COOK & ASSOCIATES, INC., ON BEHALF OF MARK THOMPSON OF 3434-44 THOMPSON, LLC, FOR THE SUMMARY VACATION OF A 351-SQUARE-FOOT EXCESS RIGHT-OF-WAY – 6608 INDIANA AVENUE

ISSUE:

Approve a proposal by Craig Cook of Gabel, Cook and Associates, Inc. on behalf of Mark Thompson of 3434-44 Thompson, LLC to summarily vacate excess right-of-way at the southeast corner of Indiana and Arlington Avenues.

RECOMMENDATIONS:

That the City Council:

1. Approve Planning Case P17-0632 for Summary Vacation, subject to the attached recommended conditions;
2. Adopt a Resolution vacating approximately 351 square-feet of excess right-of-way; and
3. Authorize the City Manager to execute quitclaim deeds as necessary.

BACKGROUND:

In 2013, a segment of Indiana Avenue containing a right-turn slip lane to eastbound Arlington Avenue was eliminated in conjunction with the reconfiguration of the Arlington Avenue on- and off-ramps for the Riverside County Transportation Commission's State Route 91 High-Occupancy Vehicle (HOV) lane addition project. Although the slip lane was removed and replaced with landscaping, the right-of-way configuration was not modified to reflect the new geometry of the intersection, resulting in a large irregularly shaped parkway.

DISCUSSION:

This request is to summarily vacate an excess portion of right-of-way on Indiana Avenue. The right-of-way is triangular in shape and approximately 37 feet wide and 19 feet deep, totaling 351

square feet. The area to be vacated is paved, has driveway access to Arlington Avenue and has been used for vehicle parking since the closure of the slip lane. Should this summary vacation be approved, this case will remove the subject 351-square-foot area from the public right-of-way.

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.*

This excess right-of-way 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 businesses are served by existing driveways on Indiana and Arlington Avenues. Upon vacation of the excess portion of Indiana Avenue, the vacated land will be required to be consolidated with the adjoining property.

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 been utilized for vehicle parking since 2013 and is impassable as a public road. No public funds have been expended on the maintenance of the right-of-way 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