



Community & Economic Development Department

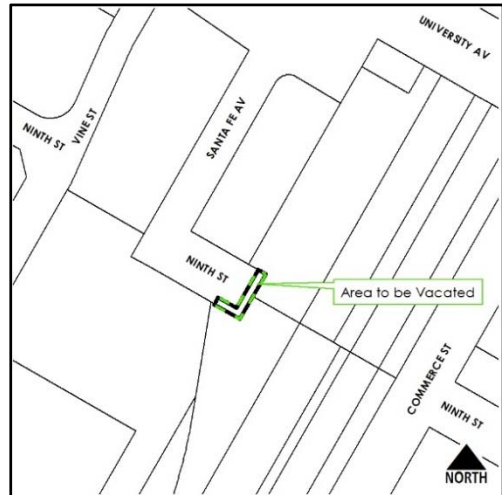
3900 Main Street, Riverside, CA 92522 | Phone: (951) 826-5371 | [RiversideCA.gov](http://RiversideCA.gov)

Planning Division

**PLANNING COMMISSION HEARING DATE: JANUARY 9, 2020**

**AGENDA ITEM NO.: 3**

**PROPOSED PROJECT**

<i>Case Number</i>	P19-0353 (Street Vacation)	
<i>Request</i>	To consider a Street Vacation to vacate an approximately 514 square foot L-shaped segment of public right-of-way at the terminus of Ninth Street, to facilitate the expansion of the existing Riverside Downtown North Layover Facility.	
<i>Applicant</i>	Hector Casillas on behalf of the Riverside County Transportation Commission	
<i>Project Location</i>	A segment of Ninth Street, east of Santa Fe Avenue	
<i>APN</i>	N/A	
<i>Project Area</i>	514 square feet	
<i>Ward</i>	2	
<i>Neighborhood</i>	Eastside	
<i>General Plan Designation</i>	N/A	
<i>Zoning Designation</i>	N/A	
<i>Staff Planner</i>	Veronica Hernandez, Associate Planner 951-826-3965 <a href="mailto:vhernandez@riversideca.gov">vhernandez@riversideca.gov</a>	

**RECOMMENDATIONS**

Staff recommends that the Planning Commission:

1. **RECOMMEND that the City Council DETERMINE** that the project is exempt from the California Environmental Quality Act (CEQA) subject to Section 15061(b)(3) (Common Sense Rule) of the CEQA Guidelines, as it can be seen with certainty that the project will have no significant effect on the environment; and
2. **RECOMMEND that the City Council APPROVE** Planning Case P19-0353 (Street Vacation), based on the findings outlined in the staff report and subject to the recommended conditions (Exhibit 1).

**BACKGROUND**

The segment of Ninth Street to be vacated is designated in the General Plan 2025 as a 66-foot wide local street, with one travel lane in each direction. Ninth Street terminates at the railroad.

The proposed area to be vacated is surrounded by a vacant packing house to the north, an office building to the west (formerly Brightwood College), and an existing train car layover track to the east and south.

## PROPOSAL

The applicant is requesting approval of a Street Vacation to vacate an approximately 514 square foot L-shaped portion of Ninth Street to accommodate the expansion of the existing Riverside Downtown North Layover Facility. The expansion will accommodate the removal of the existing layover track, the installation of three new layover storage tracks with an overall storage capacity of three six-car train sets, and associated maintenance and infrastructure upgrades.

## PROJECT ANALYSIS

### STREET VACATION

Pursuant to State law, specifically Public Streets, Highways, and Services Easements Vacation Law (commencing with Section 8300 of the Streets and Highway Code and Section 21101 of the Vehicle Code of the State of California), the City may regulate traffic on its public streets, alleys, and walkways only to the extent expressly authorized. The law permits the City to vacate a street, alley, or walkway only upon a finding supported by substantial evidence that the right-of-way is no longer needed for vehicular or pedestrian traffic and is unnecessary for present or prospective public use.

The following facts are provided to support the proposed vacation of the subject portion of Ninth Street:

- The proposed area to be vacated will no longer be needed for street purposes or for access to adjacent parcels, as adequate access will be provided through the surrounding streets, including the remaining portion of Ninth Street, Santa Fe Street to the north, and Vine Street to the west. The existing power pole north of the area to be vacated will not be affected.
- The proposed area to be vacated is unnecessary for present or prospective public use or vehicular traffic. The only use for this segment of Ninth Street is for access to the existing train tracks and infrastructure – there is no public outlet on this street. The area to be vacated will not interfere with the existing drive aisle of the property to the south or impede any public movement.
- As stated above, properties to the north, south, and west of the proposed vacation will maintain public access from Santa Fe Street and Vine Street and the remaining segment of Ninth Street. The area to be vacated will not be necessary for access to any parcels.
- The proposed vacation will not impact access to any other parcels as all other streets will remain in their current configuration, and the proposed vacation will not impact vehicular or pedestrian circulation.

Based on the findings above, it can be concluded that the subject right-of-way is not needed for vehicular or pedestrian traffic or for present or prospective public use. The vacated right-of-way will be placed within the CR-SP – Commercial Retail and Specific Plan (Marketplace) Overlay Zones and designated C – Commercial based on the City's General Plan.

In compliance with State Law and local ordinance, should the Planning Commission approve the proposed street vacation, the City Council will consider a Resolution of Intent to set a public hearing to consider the vacation at a date not sooner than 15 days following adoption of the Resolution of Intent. At least 15 days prior to the public hearing date established with the Resolution

of Intent, a notice will be posted at all intersections and at points occurring each 300 feet along the affected roadway segment.

## **FINDINGS SUMMARY**

The vacation of a segment of Ninth Street will not impact access or circulation to surrounding properties or to the City's overall circulation element. The project, as proposed, will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to the environment or to the property or improvements within the area. The portion of Ninth Street proposed to be vacated is primarily used by the Riverside County Transportation Commission for access to the train tracks and infrastructure. Traffic on Ninth Street currently has no outlet to any other public streets. Vehicular and pedestrian traffic will continue to utilize the remaining segment of Ninth Street in the same manner as the existing condition.

## **ENVIRONMENTAL REVIEW**

Planning Division Staff has determined that the proposed street vacation is categorically exempt from California Environmental Quality Act (CEQA) review pursuant to Sections 15061(b)(3) (Common Sense Rule) of the CEQA Guidelines, which stipulates that a project is exempt from CEQA if covered by the general rule that CEQA applies only to projects that have a potential for causing a significant effect on the environment. As the proposal involves the vacation of a local street, not identified as a major component of the local roadway network, it can be seen with certainty that there is no possibility that the project will have a significant effect on the environment. Further, in that Ninth Street currently terminates at the train tracks, there would be no change to existing conditions.

## **PUBLIC NOTICE AND COMMENTS**

Public hearing notices were mailed to property owners within 300 feet of the site. As of the writing of this report, no responses have been received by staff regarding this project.

## **APPEAL INFORMATION**

Actions by the City Planning Commission, including any environmental finding, may be appealed to the City Council within ten calendar days after the decision. Appeal filing and processing information may be obtained from the Planning Department Public Information Section, 3rd Floor, City Hall.

## **EXHIBITS LIST**

1. Staff Recommended Conditions of Approval
2. Location Map
3. General Plan Map
4. Zoning and Specific Plan Maps
5. Project Plans (Survey Plan and Water and Sewer Plan)
6. Legal Description and Plat Map
7. Existing Site Photos

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Prepared by: Veronica Hernandez, Associate Planner

Reviewed by: Patricia Brenes, Principal Planner, and Candice Assadzadeh, Senior Planner

Approved by: Mary Kopaskie-Brown, City Planner



*EXHIBIT 2 – STAFF RECOMMENDED CONDITIONS OF APPROVAL*

**RECOMMENDED CONDITIONS & GENERAL INFORMATION NOTES**

**PLANNING CASE:** P19-0353 (Street Vacation)

**Planning Division**

1. There shall be a one-year time limit in which to satisfy the conditions and finalize this action.

**Fire Department**

2. Fire access shall be maintained at all times. Any future gates shall be equipped with a Knox device. Minimum fire access width is 20 feet.

**Public Works**

Conditions to be fulfilled prior to case finalization, unless otherwise noted:

3. All conditions placed upon this case must be fulfilled prior to the recording of the vacation resolution by the City Clerk. The case is not finalized until the City Clerk records the Vacation Resolution.
4. If the disposition of land is other than by operation of law the applicant shall have quitclaim deeds exchanging the property prepared to the satisfaction of Planning, City Attorney's Office and Public Works Departments. All necessary parcel descriptions and plats shall be prepared, signed and sealed by a licensed Land Surveyor or Civil Engineer authorized to practice Land Surveying in the State of California. DESCRIPTIONS and PLATS ARE REQUIRED TO BE ON 8.5 inch by 11-inch FORMAT.
5. Council authorizes the City Manager to execute quitclaims documents on behalf of the City of Riverside to extinguish the desired public rights within the vacated right of way that does not revert by operation of law.
6. Prior to finalization of the case, the applicant shall provide the appropriate documentation that the lender(s) / trustee(s) has(have) agreed to modify any Trust Deed(s) to reflect the reconfigured parcel(s).
7. Property transfers to the final proposed parcel configurations must be accomplished concurrently with the finalization of this case. Ownership of the property shall remain undivided prior to recordation of the Certificate of Compliance for Lot Line Adjustment.
8. All recording fees of the Riverside County Recorder, including transfer documents, grants of right-of-way and the Certificate of Compliance for Lot Line Adjustment are the responsibility of the applicant.
9. Applicant shall prepare Grant Deeds that have each owner grant to themselves each of the parcels in their final configuration. This requirement is necessary to ensure that the final parcel configurations and ownerships are clearly identified in the Land Title History.
10. VC P19-0353 to be completed prior to issuance of the Certificate of Compliance.



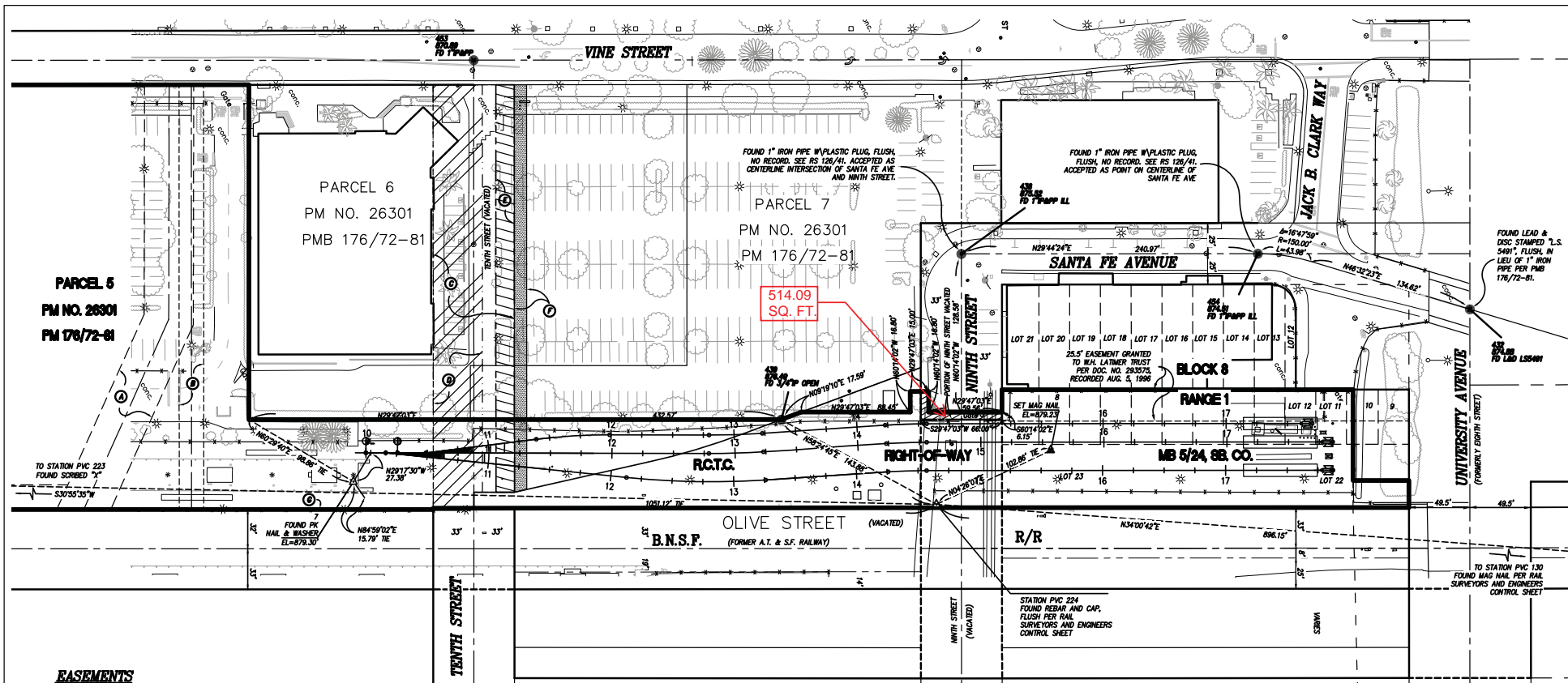


P19-0353, Exhibit 2 - Location Map









### EASEMENTS

- ① 40' EASEMENT FOR STORM DRAIN AND WATERLINE FACILITIES DEDICATED PER PM 26301
- ② CENTERLINE SEWER EASEMENT GRANTED TO THE CITY OF RIVERSIDE PER BOOK 147, PAGE 81 OF DEEDS, RECORDED MARCH 26, 1982, NO WIDTH GIVEN, ALSO 20' SEWER EASEMENT DEDICATED PER PM 26301
- ③ EASEMENT FOR NATURAL GAS DISTRIBUTION FACILITIES, AND SANITARY SEWER FACILITIES RESERVED TO THE CITY OF RIVERSIDE PER DOC. NO. 308505, RECORDED AUG. 16, 1982
- ④ 40' WATERLINE FACILITY EASEMENT RESERVED TO THE CITY OF RIVERSIDE PER DOC. NO. 308505, RECORDED AUG. 16, 1982
- ⑤ 15' ELECTRICAL ENERGY TRANSMISSION AND DISTRIBUTION FACILITIES AND CABLE TV DISTRIBUTION FACILITIES EASEMENT RESERVED TO THE CITY OF RIVERSIDE PER DOC. NO. 308505, RECORDED AUG. 16, 1982
- ⑥ 10' ELECTRICAL EASEMENT DEDICATED PER PM 26301
- ⑦ 1' EASEMENT FOR PUBLIC UTILITIES, STORM DRAIN AND SEWER PER BOOK 1403, PAGE 398, O.R. RECORDED SEPT. 26, 1982

### LEGEND

- ▲ INDICATES CONTROL POINT AS NOTED HEREON.  
● INDICATES FOUND MONUMENT AS NOTED.

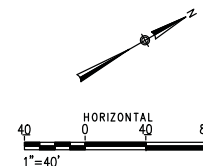
STATION	NORTHING	EASTING	ELEVATION	MONUMENT
	U.S. SURVEY FEET			
PVC 223	2300307.75	6222081.36	879.64	FOUND SCRIBED "X" ON CONCRETE PLATFORM
PVC 224	2301209.43	6222601.57	877.66	FOUND REBAR & CAP, FLUSH
7	2300807.32	6222350.17	879.30	FOUND PK NAIL & WASHER
8	2301311.96	6222609.52	879.23	SET MAG. NAIL
432	2301864.39	6222679.14	874.86	FOUND LEAD & DISC STAMPED "L.S. 5491"
436	2301328.09	6222434.81	875.52	FOUND 1" IRON PIPE W/PLASTIC PLUG
439	2301134.28	6222470.04	876.49	FOUND 3/4" IRON PIPE, OPEN
453	2301062.42	6222101.21	870.89	FOUND 1" IRON PIPE W/PLASTIC PLUG
454	2301537.32	6222554.35	874.51	FOUND 1" IRON PIPE W/PLASTIC PLUG

### BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CALIFORNIA COORDINATE SYSTEM OF 1983 (CCS83) NAD83, ZONE 6, 2007.00 EPOCH AS ESTABLISHED BY RAIL SURVEYORS AND ENGINEERS, INC. (R.S.E.) FOR THE R.C.T.C. PERRIS VALLEY LINE AT POINTS 131, 223 & 224. PER THE R.S.E. PROVIDED CONTROL RECOVERY SHEETS.

### BASIS OF ELEVATIONS

ELEVATIONS FOR THIS SURVEY ARE BASED UPON N.A.V.D. 88 DATUM AS MEASURED FROM CONTROL STATION PVC223 ESTABLISHED BY R.S.E. AND HAS AN ELEVATION OF 879.64 FEET.



STIMES

USERS

REV. DATE

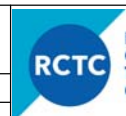
INFORMATION CONFIDENTIAL:  
All plans, drawings, specifications, and all information furnished hereunder shall remain the property of the Riverside County Transportation Commission and shall be held confidential and shall not be used for any purpose not provided for in agreement with the Riverside County Transportation Commission.

DESIGNED BY  
B. SCOTT EDKINS  
DRAWN BY  
B. SCOTT EDKINS  
CHECKED BY  
GARY L. HUS  
APPROVED BY  
GARY L. HUS  
DATE  
01-24-2019



HDR Engineering, Inc.  
2280 Market Street, Suite 100  
Riverside, CA 92501-2110  
(951) 320-7300

SUBMITTED: \_\_\_\_\_  
PROJECT NUMBER: \_\_\_\_\_  
APPROVED: \_\_\_\_\_



RIVERSIDE  
COUNTY  
TRANSPORTATION  
COMMISSION

### RIVERSIDE LAYOVER FACILITY

SURVEY CONTROL

CONTRACT NO. 19-33-029-00  
DRAWING NO. VA 001  
REVISION SHEET NO. 9 OF 53  
SCALE 1"=40'



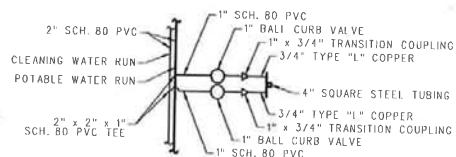
- (26) TRENCHING, BEDDING AND BACKFILL PER CITY OF RIVERSIDE STD PLAN NO. 453, CASE 1
- (28) CONSTRUCT 6" SDR-35 PVC SEWER LINE PER PLAN
- (29) CONSTRUCT 4" SDR 35 PVC SEWER LATERAL WITH WYE CONNECTION
- (31) CONSTRUCT TOILET DUMP STATION PER SCRRRA ENGINEERING STD 7101
- (32) CONSTRUCT 2" SCHEDULE 80 PVC DOMESTIC WATER SUPPLY

54. CONSTRUCT POTABLE WATER STATION PER SCRR ENGINEERING STD 7103
55. CONSTRUCT 6" x 1/4" STEEL SLEEVE, LENGTH PER PLAN
56. CONSTRUCT 1" SCHEDULE 80 PVC DOMESTIC WATER SUPPLY
57. CONSTRUCT 8" x 1/4" STEEL SLEEVE, LENGTH PER PLAN

MATCH LINE STA ST-01 12+50.00  
SEE DRAWING CI-005

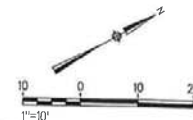
MATCH LINE STA ST-01 15 + 25.00  
SEE DRAWING CI-007

AT & SF RR  
APN 215-143-004



**DETAIL 8 - POTABLE WATER STATION DIAGRAM**  
NOT TO SCALE

1. UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS, AS BUILTS AND POTHOLES DONE DURING DESIGN. CONTRACTOR IS RESPONSIBLE FOR VERIFICATION OF ALL UTILITIES AND RR SIGNALS AND COMMUNICATION EQUIPMENT.
2. UNKNOWN COMMUNICATION UTILITY IN CONFLICT, CONTRACTOR TO VERIFY EXTENT OF CONFLICT AND COORDINATE WITH OWNER FOR RELOCATION.
3. UNKNOWN COMMUNICATION UTILITY IN PARTIAL CONFLICT, CONTRACTOR TO VERIFY AND COORDINATE WITH OWNER AS NEEDED FOR PROTECTION AND OR RELOCATION.
4. THE CONTRACTOR SHALL CALL IN A LOCATION REQUEST TO UNDERGROUND SERVICE ALERT (USA), PHONE # 1-800-222-7800, TWO WORKING DAYS BEFORE DESIGN AND CONSTRUCTION PERMIT WILL BE ISSUED BY THE PUBLIC WORKS DEPARTMENT INVOLVING EXCAVATION OR UNDERGROUND UTILITY WORK. IF THE APPLICANT HAS BEEN PROVIDED AN INQUIRY IDENTIFICATION NUMBER BY



Call: TOLL FREE  
1-800  
422-4133

TRACK-3

APPROVATION: CONSULTATION:	DESIGNED BY
<p>Plans, drawings, specifications, and/or information furnished herein shall remain the property of the Southern California Regional Rail Authority and shall be held confidential, and shall not be used for any purpose not provided for in agreements with the Southern California Regional Rail Authority</p>	<p>J. BROWN</p>
	DRAWN BY
	W. STEBOK
	CHECKED BY
	M. SHAVER
	APPROVED BY
	C. CHRISTOPHER
	DATE
	12-15-2016



HDR Engineering, Inc.  
3298 Market Street, Suite 100  
Riverside CA 92501-2110  
(951) 320-7300

SUBMITTED: \_\_\_\_\_  
APPROVED: \_\_\_\_\_

RCTC

**RIVERSIDE  
COUNTY  
TRANSPORTATION  
COMMISSION**

RIVERSIDE LAYOVER FACILITY

WATER & SEWER PLAN  
STA 12+50.00 TO STA 15+25.00

CONTRACT NO.	
DRAWING NO. CI-006	
REVISION	SHEET NO.
SCALE	

 $1''=10'$

**EXHIBIT A**  
**LEGAL DESCRIPTION**

That certain real property located in the City of Riverside, County of Riverside, State of California, described as follows:

That portion of 9<sup>th</sup> Street, 66.00 feet in width, adjoining Block 8 and Block 9 in Range 1 of the Riverside Fruit Company's Subdivision, as shown on map on file in Book 5, Page 24 of Maps, Records of San Bernardino County, California, also being a portion of 9<sup>th</sup> Street as shown on Parcel Map No. 26301, as shown by map on file in Book 176 Pages 72 through 81 of Parcel Maps, Records of Riverside County, California, being more particularly described as follows:

**Beginning** at the most Westerly corner of that portion of 9<sup>th</sup> Street Vacated by Riverside City Council Resolution No. 22209, recorded October 24, 2013, as document No. 2013-0507352 of Official Records of Riverside County, California; thence along the Southwesterly right-of-way line of 9<sup>th</sup> Street, being 66 feet wide, North 60°14'02" West, 22.95 feet; thence leaving said Southwesterly line, North 29°47'03" East, 6.44 feet; thence South 60°14'02" East, 16.80 feet; thence North 29°47'03" East, 59.56 feet to a point on the Northeasterly right-of-way line of said 9<sup>th</sup> Street; thence along said Northeasterly right-of-way line, South 60°14'02" East, 6.15 feet to the Northwest line of said portion of 9<sup>th</sup> Street vacated; thence along said Northwest line, South 29°47'03" West, 66.00 feet to the **Point of Beginning**.

Said parcel contains 514 square feet, more or less.



David W. Ambler 08/05/2019  
DAVID W. AMBLER DATE  
L.S. 7322

DESCRIPTION APPROVAL:

Curtis C. Stephens 8/20/19  
CURTIS C. STEPHENS, L.S. 7519 DATE  
CITY SURVEYOR



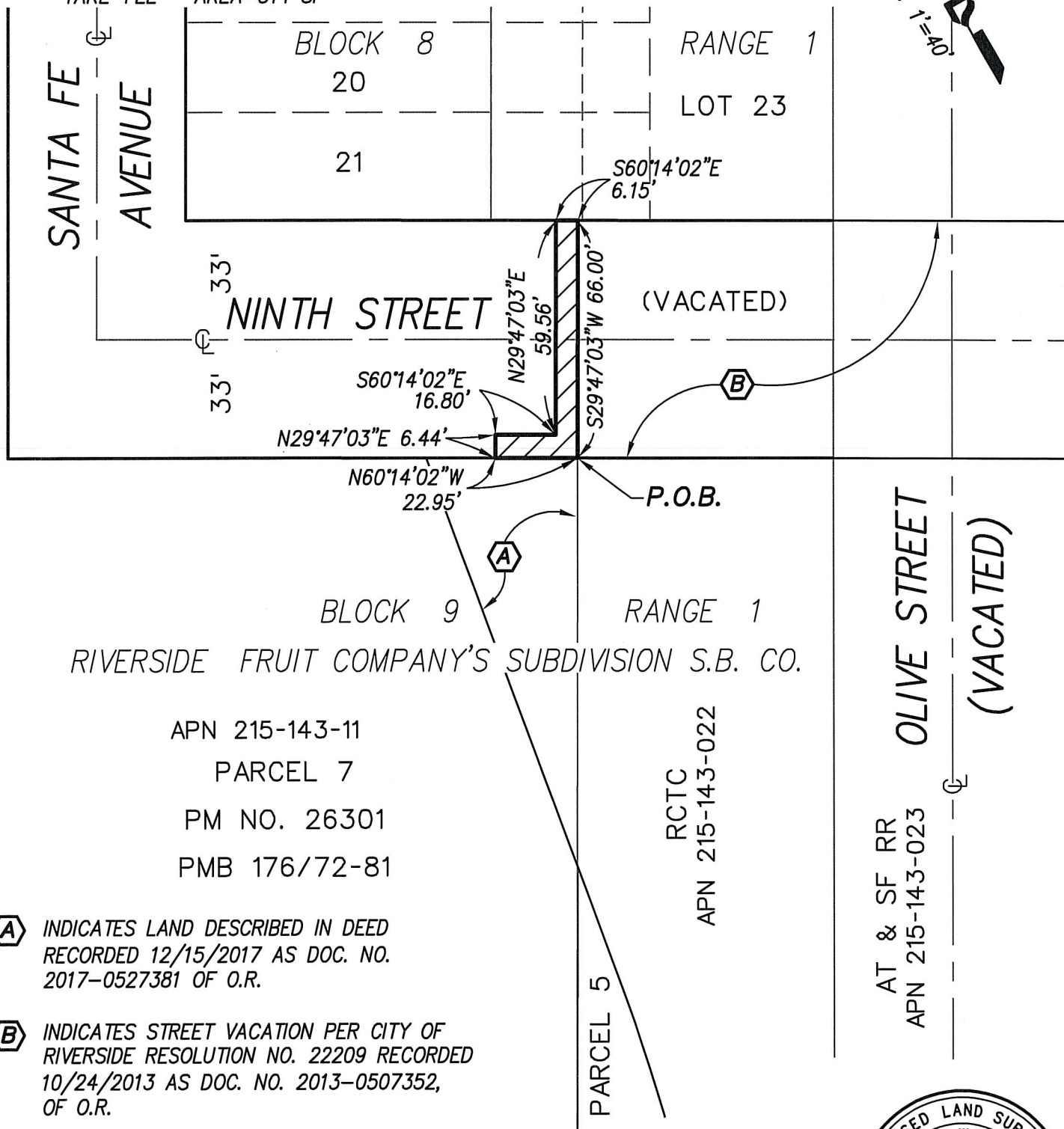
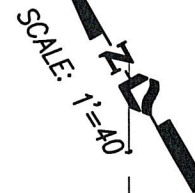
# LEGEND

# EXHIBIT B

SHEET 1 OF 1

**P.O.B.** INDICATES POINT OF BEGINNING

 INDICATES RIGHT OF WAY TAKE-FEE - AREA=514 SF



**PROJECT DESIGN CONSULTANTS**  
Planning | Landscape Architecture | Engineering | Survey

701 B Street, Suite 800  
San Diego, CA 92101  
619.235.6471 Tel  
619.234.0349 Fax





**Vacation**  
**Portion of Ninth Street**



Looking easterly from Ninth Street and Santa Fe Ave



Looking southerly from Ninth Street



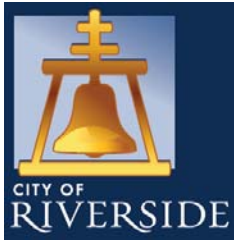
**Vacation  
Portion of Ninth Street**



Looking westerly from end of Ninth Street



Looking northerly from end of Ninth Street



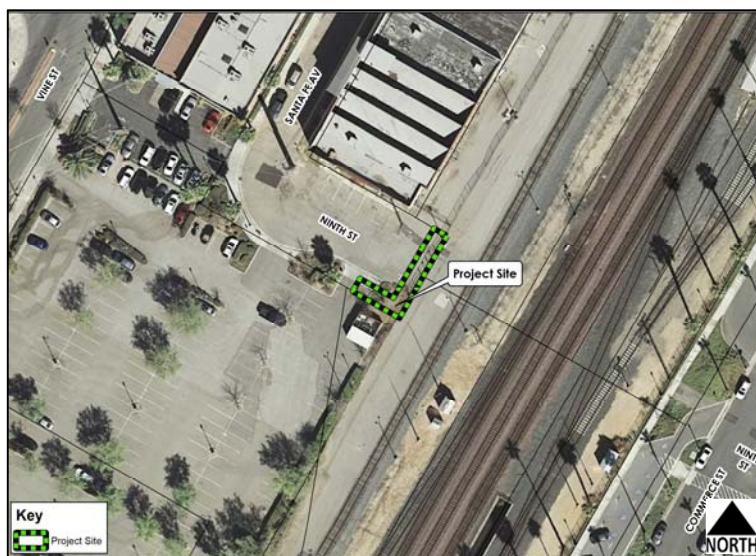
## Ninth Street P19-0353 (Street Vacation)

Community & Economic Development Department

Planning Commission  
Agenda Item: 3  
January 9, 2020

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## LOCATION MAP

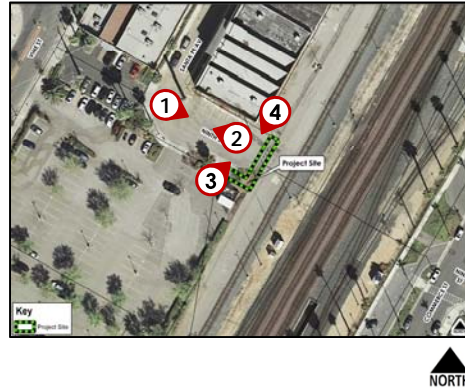


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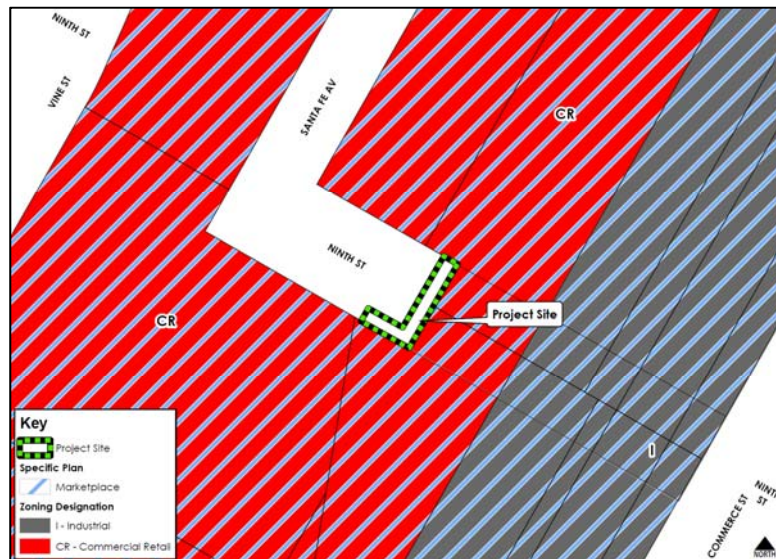
## EXISTING SITE PHOTOS



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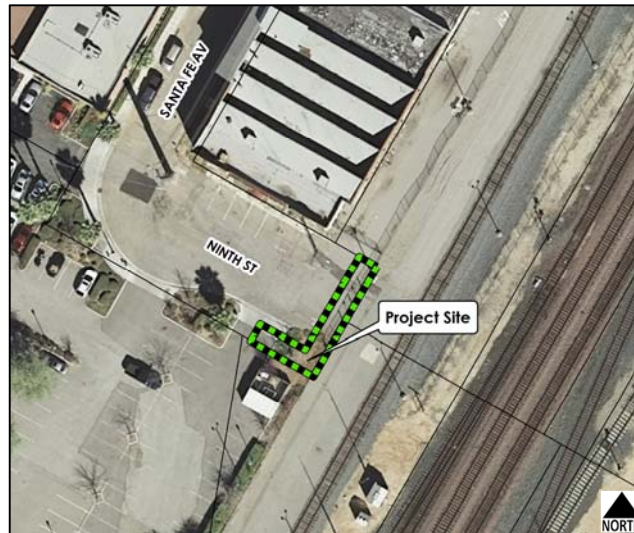
## ZONING AND SPECIFIC PLAN MAP



4

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## AREA TO BE VACATED



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## RECOMMENDATIONS

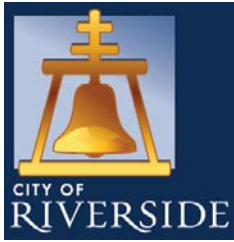
Staff recommends that the Planning Commission:

1. **RECOMMEND that the City Council DETERMINE** that the proposed project is exempt from further California Environmental Quality Act (CEQA) review pursuant to Section 15061(b)(3) (Common Sense Rule) of the CEQA Guidelines, as the project will not have a significant effect on the environment; and
2. **RECOMMEND APPROVAL** of Planning Case P19-0353 (Street Vacation) based on the findings outlined in the staff report and subject to the recommended conditions.



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## Ninth Street P19-0353 (Street Vacation)

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January 9, 2020

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### GENERAL PLAN MAP (REFERENCE ONLY)



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