



**DEPARTMENT OF PLANNING AND
COMMUNITY DEVELOPMENT**

ACTION DATE: February 5, 2015

TO: Planning Commission

APPLICANT: Bryce Wendel
Dioji
618 Litchfield Lane
Santa Barbara, CA 91302

CASE NO.: 15-ABAN-002

LOCATION: 5076 Chesebro Road.

REQUEST: Request for the Planning Commission to find the proposed street vacation of a portion of Chesebro Road to be in conformance with the General Plan.

ENVIRONMENTAL ANALYSIS: The request is not subject to the requirements of the California Environmental Quality Act.

RECOMMENDATION: Staff recommends the Planning Commission adopt a motion determining the proposed street vacation to be consistent with the General Plan, based on the findings of the draft resolution.

I. BACKGROUND, DESCRIPTION AND ANALYSIS

On March 20, 2014, the Planning Commission approved Conditional Use Permit Case No. 14-CUP-001, Oak Tree Permit No. 14-OTP-001, and 14-SP-007, allowing for the renovation of a commercial lot and operation of a dog care facility with overnight boarding at 5076 Chesebro Road (south east corner of Chesebro Road and Dorothy Drive). Included with the project's conditions was the requirement for the City to vacate a strip of right-of-way on the east side of Chesebro Road, from Dorothy Drive to the southerly property line of the subject parcel, per the attached exhibits.

Pursuant to the project's conditions of approval, the applicant has filed an application for this right-of-way vacation. Prior to the City Council taking action on the request to vacate this strip of right-of-way on Chesebro Road along the property street frontage, the Planning

Commission must determine whether the vacation of this public land would be in conformance with the General Plan Circulation Element. Staff finds that the right-of-way proposed to be vacated is not an essential part of the transportation network within the City. Should the right-of-way vacation be approved by City Council, as proposed, Chesebro Road would continue to serve as a balanced roadway system that provides adequate accessibility to existing and future land uses. The proposal would be in conformance with the Circulation Element of the City' General Plan in that sufficient roadway right-of-way will exist after the vacation to provide for the necessary lanes of travel. Staff finds that the proposal to vacate a portion of Chesebro Road right-of-way would be in conformance with the General Plan.

II. RECOMMENDATION

Staff recommends that the Planning Commission adopt a motion to approve the draft Resolution, setting forth its findings of fact and recommendation to the City Council relative to the vacation of a portion of Chesebro Road right-of-way.

III. ATTACHMENTS

- Draft Resolution
- Street Vacation Legal Description (Exhibit A)
- Street Vacation Exhibit (Exhibit B)

Prepared by: Robert Cortes, Engineering Aide

DRAFT RESOLUTION NO. ____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS REPORTING ON CONFORMITY WITH THE GENERAL PLAN SETTING FORTH ITS FINDINGS OF FACT AND RECOMMENDATION TO THE CITY COUNCIL FOR THE VACATION OF A PORTION OF CHESEBRO ROAD IN THE CITY OF AGOURA HILLS (CASE NO. 15-ABAN-002)

THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS HEREBY RESOLVES AS FOLLOWS:

WHEREAS, the City of Agoura Hills received an application from Mr. Bryce Wendel, owner of Dioji, requesting approval of the vacation of a portion on the east side of Chesebro Road from Dorothy Drive to the southerly property line. The vacation request is associated with application Case Nos. 15-ABAN-002 and 14-CUP-001 to renovate a commercial lot at 5076 Chesebro Road.

WHEREAS, portions of right-of-way proposed to be vacated are those portions of the following street designated on the map attached hereto as Exhibit B and incorporated herein by reference. Any portion of the foregoing streets not designated on the attached maps is not proposed for vacation and will remain as City public right-of-way.

WHEREAS, the Planning Commission considered the application for the Planning Commission's recommendation to the City Council at a public hearing held at 6:30 p.m. on February 5, 2015, in the Council Chambers of the Agoura Hills Civic Center, 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, place and purpose of the aforesaid was duly given.

WHEREAS, evidence, both written and oral, including the staff report and supporting documentation, was duly presented to and considered by the Planning Commission at the aforesaid public hearing; and

WHEREAS, the Planning Commission of the City of Agoura Hills is responsible for reporting its findings on and recommendations for a transportation and traffic circulation system for the City of Agoura Hills; and

WHEREAS, the portion of Chesebro Road, as shown in Exhibit B, is not an essential part of the transportation network within the City of Agoura Hills and Chesebro Road would continue to serve as balanced roadway systems that would provide for adequate accessibility to existing and future land uses; and

WHEREAS, the Planning Commission of the City of Agoura Hills does hereby resolve as follows:

Section 1: Pursuant to Government Code Section 65402 and Streets & Highways Code Section 8313, the Planning Commission held a duly-noticed public hearing regarding the conformity of the proposed vacation to the General Plan.

Section 2: After receiving evidence, both written and oral, regarding the conformity of the proposed street vacation with the General Plan, the Planning Commission hereby finds that the proposed vacation of a portion of right-of-way specified above and on Exhibit B conforms to the General Plan for the reasons stated in the staff report. The City Engineer is to forward a copy of this recommendation to the City Council forthwith.

PASSED, APPROVED AND ADOPTED this 5th day of February, 2015, by the following vote to wit:

AYES: (0)
NOES: (0)
ABSTAIN: (0)
ABSENT: (0)

Michael Justice, Chairperson

ATTEST:

Doug Hooper, Secretary

EXHIBIT "A"

LEGAL DESCRIPTION

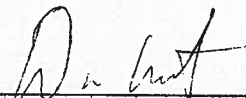
CHESEBRO ROAD VACATION

THAT PORTION OF CHESEBRO ROAD WEST OF AND CONTIGUOUS TO LOT 17 IN BLOCK 13 OF TRACT MAP 8451, IN THE CITY OF AGOURA HILLS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 104, PAGES 79 TO 90 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST TERMINATION OF THE NORTH LINE OF LOT 17 WHICH BEARS SOUTH 81°-33'-00" WEST, AND DISTANT 112.75 FEET; SAID NORTH LINE ALSO BEING THE SOUTH RIGHT OF WAY LINE OF DOROTHY DRIVE, (60 FEET WIDE); AS SHOWN ON SAID TRACT MAP SAID WEST TERMINATION BEING A POINT ON A CURVE CONCAVE TO THE SOUTH EAST, HAVING A RADIUS OF 15.00 FEET;

THENCE, ALONG THE NORTH WESTERLY AND WESTERLY LINE OF SAID LOT 17 THE FOLLOWING THREE COURSES; WESTERLY AND SOUTH WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°-00'-00" AN ARC DISTANT OF 23.56 FEET; THENCE TANGENT TO SAID CURVE SOUTH 8°-27'-00" EAST 119.00 FEET TO A POINT ON A TANGENT CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 157.90 FEET, CONCAVE TO THE EAST, THENCE, SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 15°-02'-59" AN ARC DISTANCE OF 41.48 FEET; TO THE SOUTH LINE OF THAT PARCEL OF LAND DESCRIBED IN DEED RECORDED ON 7-11-2012 IN DOCUMENT NO. 20121023137, A RADIAL THROUGH SAID CURVE BEARS NORTH 66°-30'-01" EAST. THENCE, NON TANGENT TO SAID CURVE SOUTH 81°-33'-00" WEST 3.08 FEET TO A POINT ON A NON-TANGENT CURVE HAVING A RADIUS OF 300.00 FEET AND CONCAVE TO THE EAST; A RADIAL THROUGH SAID POINT ON SAID CURVE BEARS NORTH 69°-59'-01" EAST; THENCE NORTHERLY ALONG SAID CURVE THOUGH A CENTRAL ANGLE OF 7°-54'-23", AN ARC DISTANCE OF 41.40 FEET; THENCE TANGENT TO SAID CURVE NORTH 12°-06'-37" WEST 118.28 FEET TO A POINT ON TANGENT CURVE HAVING A RADIUS OF 15.00 FEET CONCAVE TO THE SOUTH EAST; THENCE NORTHERLY AND NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 93°-39'-37", AN ARC DISTANCE OF 24.52 FEET THENCE, TANGENT TO SAID CURVE NORTH 81°-33'-00" EAST 10.73 FEET TO THE POINT OF BEGINNING.

Westland Civil, Inc.





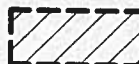
Donald G. Waite, RCE 27364
Expires: March 31, 2015

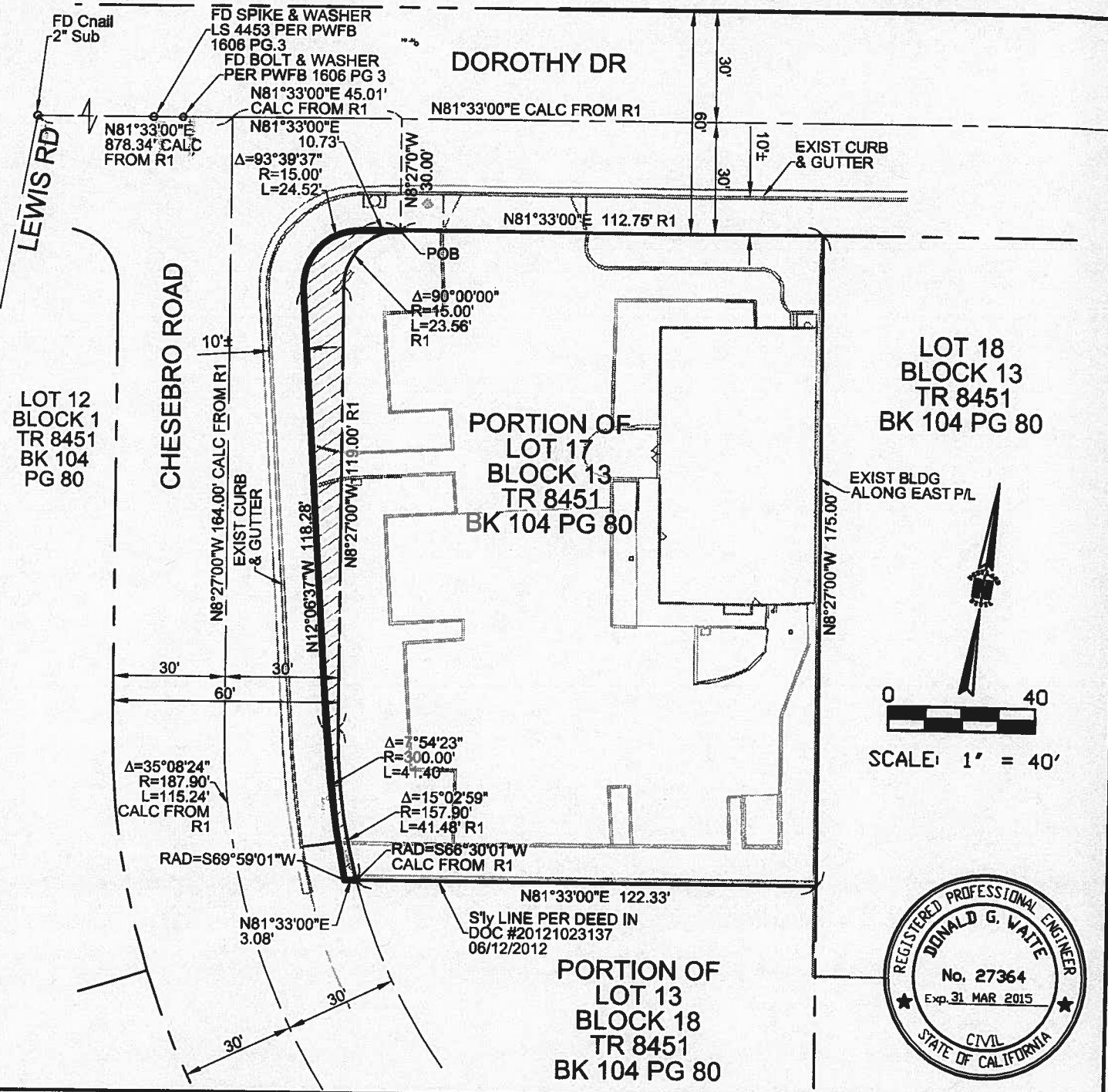
1/29/15
DATE



NOTE: EXHIBIT "B" IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT A SURVEY OF MAP.

LEGEND:

-  - PROP NEW P/L
-  - STREET CENTERLINE CALC PER R1
-  - AREA TO BE VACATED
- R1 - TR 8451 BK 104 PG



PREPARED BY:

ID: #Heinze.Agoura



WESTLAND CIVIL, INC.
 CIVIL ENGINEERS PLANNING / DESIGN LAND SURVEYORS
 558 ST. CHARLES DR, SUITE 202, THOUSAND OAKS, CA, 91380
 (805) 495-1330 FAX: (805) 446-9125

EXHIBIT "B"
 MAP TO ACCOMPANY LEGAL
 DESCRIPTION
 CHESEBRO DR STREET VACATION

DATE SUBMITTED: 04/29/2014

SHEET 1 OF 1