



REPORT TO CITY COUNCIL

DATE: DECEMBER 14, 2016

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER 

BY: RAMIRO ADEVA, DIRECTOR OF PUBLIC WORKS/CITY ENGINEER 

SUBJECT: ADOPTION OF RESOLUTION NO. 16-1830; DECLARING THE CITY COUNCIL'S INTENTION TO VACATE A PORTION OF RIGHT-OF-WAY ON ROADSIDE DRIVE, WEST OF ROADSIDE ROAD, AND SETTING THE DATE AND TIME FOR A PUBLIC HEARING TO ORDER THE VACATION

On December 3, 2015, the Planning Commission approved Site Plan/Architectural Case No. 14-SPR-003, Oak Tree Permit No. 14-OTP-016, Vesting Tentative Parcel Map No. 73266, and Variance Case No. 14-VAR-003 for the Agoura Park Project (Rosenheim & Associates for Selleck Development Group, Inc.), allowing for the development of a new 45,000 square-foot, two-story fitness facility building; and a 4,000 square-foot, one-story retail/fast service restaurant building, located at 29431 and 29439 Agoura Road, on the west side of Roadside Road. The City Council considered an appeal of the Planning Commission's decision on January 27, 2016, and upheld the Planning Commission's approval of the project, subject to additional changes and conditions. Included with the project's conditions of approval was the requirement for the City to vacate the remaining portion of Roadside Drive, west of Roadside Road. An exhibit of the area to be vacated is attached to this report for the Council's review.

The right-of-way was originally acquired by the State of California in conjunction with the U.S. 101 Freeway for fee ownership. After construction was completed, the State transferred the excess right-of-way to the County of Los Angeles, which was eventually inherited by the City upon incorporation. This portion of Roadside Drive has not been used for years, and is currently blocked by K-Rail barriers. Staff finds that the remaining portion of Roadside Drive proposed to be vacated is not an essential part of the transportation network within the City. However, the applicant is required to construct a private driveway in the abandoned area for Fire Department access to the fitness facility; and to provide ingress/egress to the adjacent property to the west.

Pursuant to the project's conditions of approval, the applicant filed an application for the street vacation (Case No. ABN-01304-2016 Selleck Development Group, Inc.). On December 1, 2016, the Planning Commission determined the vacation and future sale of the public land conforms with the General Plan Infrastructure and Community Services Element, Mobility Section.

Should the street vacation be approved by City Council, as proposed, Roadside Drive would continue to serve as part of a balanced roadway system that provides adequate accessibility to existing and future land uses. In addition, the vacation would be in conformance with the Mobility Section of the City's General Plan, in that sufficient road right-of-way will remain after the vacation, and will not alter the right-of-way needed for Roadside Drive as it currently exists.

Attached for your consideration is the resolution that declares the City Council's intention to vacate a portion of Roadside Drive, west of Roadside Road, and sets a public hearing date for this vacation on January 25, 2017, at 6:00 PM, in the Council Chambers at City Hall, located at 30001 Ladyface Court, Agoura Hills.

RECOMMENDATION

Staff respectfully recommends the City Council approve Resolution No. 16-1830 with the intention of vacating a portion of right-of-way on Roadside Drive, west of Roadside Road, reserving utility easements, and setting the date and time of the public hearing for the vacation on January 25, 2017, at 6:00 PM.

Attachments: · Resolution No. 16-1830
Exhibit "A"- Legal Description
Exhibit "B"- Map of Area to be Vacated
Vicinity Map

RESOLUTION NO. 16-1830

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, DECLARING ITS INTENTION TO VACATE A PORTION OF ROADSIDE DRIVE, WEST OF ROADSIDE ROAD, AND SETTING THE DATE AND TIME FOR A PUBLIC HEARING TO ORDER THE VACATION

The City Council of the City of Agoura Hills hereby resolves, finds and determines as follows:

Section 1. Pursuant to the provisions of the California Streets and Highway Code (Sections 8300 et seq.), Public Streets, Highways and Service Easements Vacation Law, the City Council of the City of Agoura Hills hereby declares its intention to vacate a portion of Roadside Drive in the City of Agoura Hills, County of Los Angeles, State of California, as described in Exhibit "A" and as shown in Exhibit "B"; attached hereto.

Section 2. Reference is made to the attached Exhibits "A" and "B", which describe the areas to be vacated and are on file and open to public inspection in the office of the City Clerk.

Section 3. The City Council hereby determines that public convenience and necessity require the reservation of easements and rights at any time to construct, maintain, operate, replace, remove, renew and enlarge lines for operation of water, storm drains, and sewer facilities, including access to protect such works from all hazards, and an easement to from time to time to construct, maintain, operate, replace, remove, and renew such aerial and underground communication facilities (including ingress and egress) consisting of poles, anchors, guys, cables, wires, cross arms, conduits, manholes, hand holes, markers, pedestals, terminal equipment cabinets, electrical conductors and necessary fixtures and appurtenances, and hereby declares that these proceedings and the vacation of said portion of Roadside Drive, as herein described, are subject to such reservations and exceptions.

Section 4. Pursuant to California Streets and Highways Code Section 8320(a)(1), the City Council hereby directs the City Clerk to administratively set a public hearing regarding the proposed vacation of Roadside Drive for January 25, 2017, at the hour of 6:00 p.m. in the Council Chambers of City Hall, 30001 Ladyface Court, Agoura Hills, California. At the hearing, all persons or entities interested in, or objecting, to the proposed street vacation may express their position on the matter. After the close of the public hearing, the City Council will consider the adoption of a resolution that declares the portion of Roadside Drive, west of Roadside Road described in this Resolution to be unnecessary for present or prospective public street purposes. Said Resolution shall provide that the vacation is subject to conditions or reservations.

Section 5. The City Clerk is hereby directed to publish notice of the public hearing in the Acorn Newspaper for at least two successive weeks prior to the hearing,

as required by the California Streets and Highways Code Section 8322. In addition, the City Clerk is hereby directed to post notices of the public hearing on the street proposed to be vacated at least two weeks before the date set for the hearing, in conformity with and in the manner provided by California Streets and Highways Code Section 8323.

PASSED, APPROVED AND ADOPTED THIS 14TH DAY OF DECEMBER, 2016.

AYES: (0)

NOES: (0)

ABSTAIN: (0)

ABSENT: (0)

By: _____
Denis Weber, Mayor

ATTEST:

Kimberly M. Rodrigues, City Clerk

EXHIBIT "A"

LEGAL DESCRIPTION

Vacation of Portion of Roadside Drive

Those portions of Parcels 3 and 4, in the County of Los Angeles, State of California, as per Licensed Surveyors Map filed in Book 15, Pages 8 and 9 of Records of Survey, in the Office of the County Recorder of said County, more particularly described as follow;

Those portions of said Parcels 3 and 4, bounded on the South by the southerly line of Instrument No. 281 O.R., the southerly line of Deed per Book D5332, Page 82 O.R. and the southerly line of Deed per Book D5589, Page 115 O.R. and bounded on the North by the Caltrans southerly Right-of-Way per Monumentation Map LA-101M 35.5, File No. FM21558-1 and bounded on the East by the future Right-of-Way of Roadside Road, to be determined.

Prepared by me or under my direction

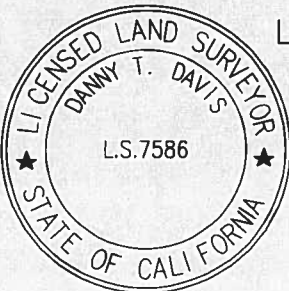
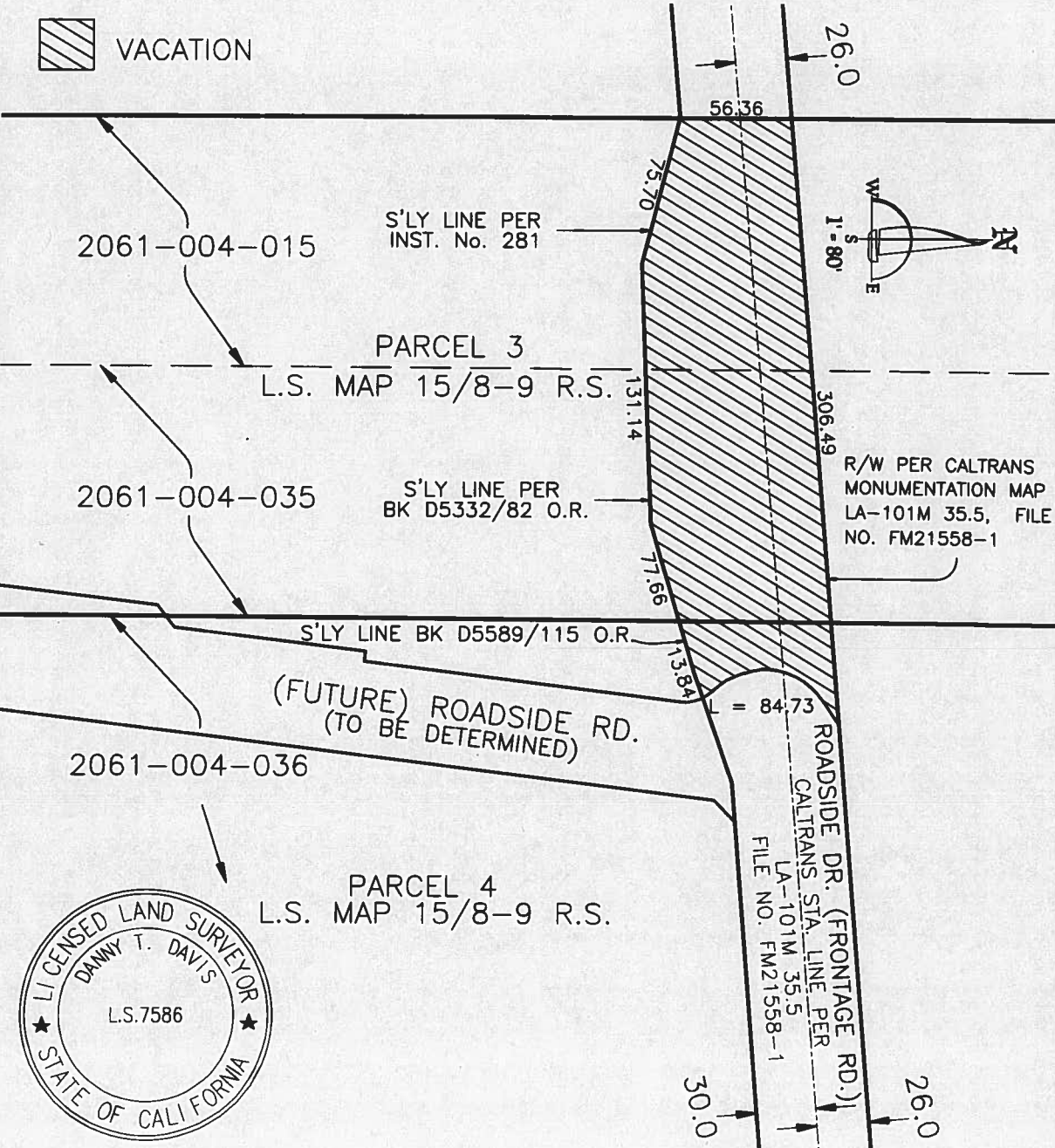

_____ Date DEC. 07, 2016

Danny T. Davis, PLS No. 7586



EXHIBIT "B"

Vacation of Portion of Roadside Drive



Vicinity Map

