

CITY OF MERCED
Planning & Permitting Division

STAFF REPORT: #17-16

AGENDA ITEM: 4.1

FROM: Kim Espinosa,
Planning Manager

PLANNING COMMISSION
MEETING DATE: Dec. 6, 2017

PREPARED BY: Francisco Mendoza-Gonzalez,
Planner

CITY COUNCIL
MEETING DATE: Jan. 16, 2018
(Tentative)

SUBJECT: **Vacation #17-01**, initiated by Janet W. Bloed, Trustee, property owner, to abandon a 5-foot-wide Public Utilities Easement (PUE) near the eastern property line of 1297 Ahwahnee Drive.

ACTION: Finding:

- 1) The proposed vacation is consistent with the General Plan.

RECOMMENDATION

The property owner is requesting the vacation of an old 5-foot-wide Public Utilities Easement (PUE) at 1297 Ahwahnee Drive (Attachment A). The easement runs north and south near the eastern portion of the property (Attachment C). Engineering and Planning Department staff have reviewed this request and consulted with local utility companies and recommend that the Planning Commission adopt a Finding stating that the proposed Vacation is consistent with the General Plan. The area to be vacated consists of approximately 540 square feet. There is another 10-foot-wide PUE adjacent to the eastern property line which shall remain with this site.

BACKGROUND

The subject site is a vacant 0.25-acre parcel zoned Low Density Residential (R-1-6) and is designated for a single-family home. The applicant is in the process of selling this property to a buyer who would like to construct a home on this lot. However, the old PUE runs through the property and prohibits a developer from constructing any structures within 15 feet east of the old PUE. This results in over 1,500 square feet of undevelopable land and makes it difficult for a design professional to design a conventional and practical floor plan for this site.

This old PUE was originally included with the future extension of Cascade Road, which was planned to go north through the subject site towards Yosemite Avenue. However, in 2004, the City Council approved the Oakmont Village Unit No.8 Subdivision which had a different street network than was originally planned for this area. Because of this, the Cascade Road extension to Yosemite Avenue was no longer needed and the easements for portions of this road were abandoned. However, the abandonment of the old PUE was not recorded properly and the old easement stayed

with this site. The applicant has submitted this application to re-confirm the abandonment of that old PUE.

After contacting all utility companies in the area, it was determined that no utilities were located within this easement, and there are no plans to use this easement in the future. Therefore, this easement is no longer needed and should be abandoned to give the property owners full use of their property. The General Plan does not address the abandonment of easements; and thus, this action does not conflict with any General Plan policies, text, or maps, so it can be considered “consistent.”

Attachments:

- A) Location Map and General Vacation Area
- B) Legal Description
- C) Parcel Map



Office Commercial
General Plan
Designation

General Location
of Old PUE

Low-Density
Residential Zone

EXHIBIT "A"

P.U.E. ABANDONMENT

Being a portion of Lot 5 as shown on "Oakmont Village Unit No. 8" recorded in Volume 65 of Official Plats, pages 22,23 and 24, Merced County Records, in the northeast quarter of section 17 Township 7 South, Range 14 East, M.D.B. & M, City of Merced, County of Merced, State of California, being more particularly described as follows:

All that portion of the 5' P.U.E. contained within Lot 5 of said map (previously dedicated by Parcel Map for "Wainwright Trusts" recorded in Volume 87 of Official Plats, Pages 45 and 46, M.C.R.).

Containing 538 square feet.

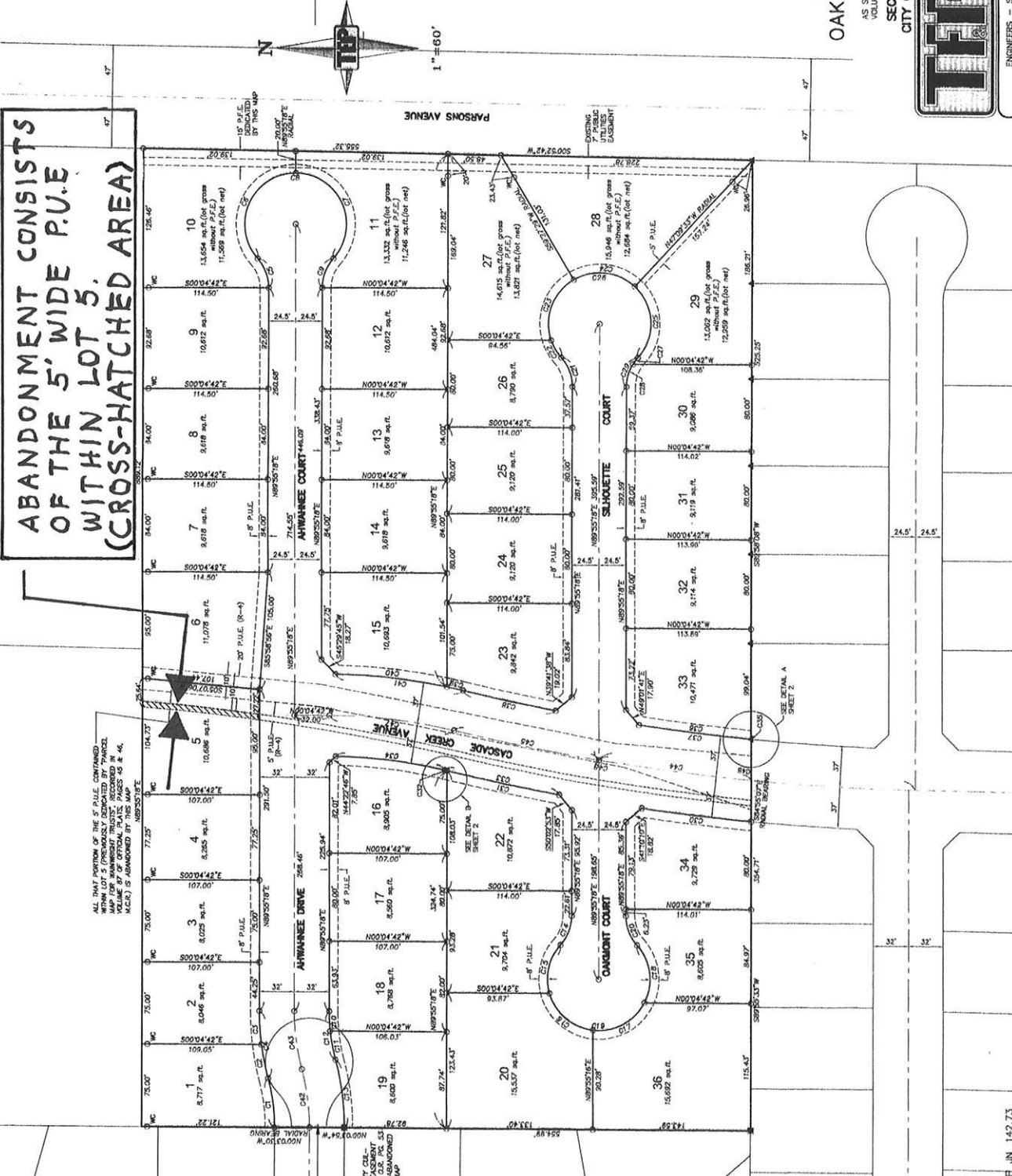


EXHIBIT B

- LEGEND**
- MONUMENT FOUND AS DESCRIBED AND ACCEPTED
 - MONUMENT SET 3/4" P.C. OR MORE WITH R.C.E. 28159
 - 284.11 ALL MEASUREMENTS ARE IN FEET AND DECIMAL FRACTIONS THEREOF.
 - (R-1) REFERENCE DATA
 - M.C.R. MERCED COUNTY RECORDS
 - P.F.E. PUBLIC FACILITIES EASEMENT
 - P.U.E. PUBLIC UTILITIES EASEMENT
 - MONUMENT FOUND 3/4" I.P. W/ R.C.E. 10580 TAG, ACCEPTED.
 - BOUNDARY LINE
 - ▲ MONUMENT FOUND 3/4" I.P. W/ R.C.E. 28159 TAG, ACCEPTED.
 - WITNESS CORNER, 5' ON LINE FROM TRAIL CORNER UNLESS OTHERWISE SHOWN

48(R-1)

CURVE	LENGTH	RADIUS	DELTA	CHORD
C1	31.21	232.00	7.6230°	31.19
C2	30.84	232.00	7.7207°	30.82
C3	30.47	232.00	7.8184°	30.45
C4	30.10	232.00	7.9161°	30.08
C5	29.73	232.00	8.0138°	29.71
C6	29.36	232.00	8.1115°	29.34
C7	28.99	232.00	8.2092°	28.97
C8	28.62	232.00	8.3069°	28.60
C9	28.25	232.00	8.4046°	28.23
C10	27.88	232.00	8.5023°	27.86
C11	27.51	232.00	8.5999°	27.49
C12	27.14	232.00	8.6976°	27.12
C13	26.77	232.00	8.7953°	26.75
C14	26.40	232.00	8.8930°	26.38
C15	26.03	232.00	8.9907°	26.01
C16	25.66	232.00	9.0884°	25.64
C17	25.29	232.00	9.1861°	25.27
C18	24.92	232.00	9.2838°	24.90
C19	24.55	232.00	9.3815°	24.53
C20	24.18	232.00	9.4792°	24.16
C21	23.81	232.00	9.5769°	23.79
C22	23.44	232.00	9.6746°	23.42
C23	23.07	232.00	9.7723°	23.05
C24	22.70	232.00	9.8700°	22.68
C25	22.33	232.00	9.9677°	22.31
C26	21.96	232.00	10.0654°	21.94
C27	21.59	232.00	10.1631°	21.57
C28	21.22	232.00	10.2608°	21.20
C29	20.85	232.00	10.3585°	20.83
C30	20.48	232.00	10.4562°	20.46
C31	20.11	232.00	10.5539°	20.09
C32	19.74	232.00	10.6516°	19.72
C33	19.37	232.00	10.7493°	19.35
C34	19.00	232.00	10.8470°	18.98
C35	18.63	232.00	10.9447°	18.61
C36	18.26	232.00	11.0424°	18.24
C37	17.89	232.00	11.1401°	17.87
C38	17.52	232.00	11.2378°	17.50
C39	17.15	232.00	11.3355°	17.13
C40	16.78	232.00	11.4332°	16.76
C41	16.41	232.00	11.5309°	16.39
C42	16.04	232.00	11.6286°	16.02
C43	15.67	232.00	11.7263°	15.65
C44	15.30	232.00	11.8240°	15.28
C45	14.93	232.00	11.9217°	14.91
C46	14.56	232.00	12.0194°	14.54
C47	14.19	232.00	12.1171°	14.17
C48	13.82	232.00	12.2148°	13.80
C49	13.45	232.00	12.3125°	13.43
C50	13.08	232.00	12.4102°	13.06
C51	12.71	232.00	12.5079°	12.69
C52	12.34	232.00	12.6056°	12.32
C53	11.97	232.00	12.7033°	11.95
C54	11.60	232.00	12.8010°	11.58
C55	11.23	232.00	12.8987°	11.21
C56	10.86	232.00	12.9964°	10.84
C57	10.49	232.00	13.0941°	10.47
C58	10.12	232.00	13.1918°	10.10
C59	9.75	232.00	13.2895°	9.73
C60	9.38	232.00	13.3872°	9.36
C61	9.01	232.00	13.4849°	8.99
C62	8.64	232.00	13.5826°	8.62
C63	8.27	232.00	13.6803°	8.25
C64	7.90	232.00	13.7780°	7.88
C65	7.53	232.00	13.8757°	7.51
C66	7.16	232.00	13.9734°	7.14
C67	6.79	232.00	14.0711°	6.77
C68	6.42	232.00	14.1688°	6.40
C69	6.05	232.00	14.2665°	6.03
C70	5.68	232.00	14.3642°	5.66
C71	5.31	232.00	14.4619°	5.29
C72	4.94	232.00	14.5596°	4.92
C73	4.57	232.00	14.6573°	4.55
C74	4.20	232.00	14.7550°	4.18
C75	3.83	232.00	14.8527°	3.81
C76	3.46	232.00	14.9504°	3.44
C77	3.09	232.00	15.0481°	3.07
C78	2.72	232.00	15.1458°	2.70
C79	2.35	232.00	15.2435°	2.33
C80	1.98	232.00	15.3412°	1.96
C81	1.61	232.00	15.4389°	1.59
C82	1.24	232.00	15.5366°	1.22
C83	0.87	232.00	15.6343°	0.85
C84	0.50	232.00	15.7320°	0.48
C85	0.13	232.00	15.8297°	0.11



SUBDIVISION APPLICATION NO. 5283
OAKMONT VILLAGE UNIT NO. 8

BEING A SUBDIVISION OF REMAINDER J AS SHOWN ON MAPS RECORDED IN VOLUME 54 OF OFFICIAL PLATS, PAGES 44, 45, 46, M.C.R.

SECTION 17, T. 7 S., R. 14 E., M.D.B. & M. CITY OF MERCED, MERCED COUNTY, CALIFORNIA

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ENGINEERS - SURVEYORS - DESIGNERS - PLANNERS

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ATTACHMENT C