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Willard Rodarmel  
Mayor Pro Tem  
John Flourde  
Council Members  
John Gordon  
John Murray  
William Siegel



**Planning  
Department**

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## **STAFF REPORT**

**Item # 7**

**To: Lemoore City Council**  
**From: Holly Smyth, Planning Director**  
**Date: December 15, 2011**  
**Subject: Notice of Intent to Abandon Right-of-Way and Public Utility Easement along a portion of Bush Street west of Marsh Drive alignment requested by Pharris**

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### **Background:**

At the December 12, 2011 special joint meeting of the City Council and Planning Commission, Tim Palmquist presented an update on the Victory Village subdivision. This project is tied to Vesting Tentative Tract #845 map approved on June 6, 2006 by the City Council containing approximately 70 acres to be subdivided into 279 single family lots in two phases. This subdivision is located on the north and south sides of the Bush Street alignment, west of the Production Avenue alignment, and generally west of the West Hills College Lemoore site and east of the 21<sup>st</sup> Avenue alignment. All necessary civil plans and documentation to process and record a Final Map (the "Final Map") over a 13.32 +/- acre portion of Victory Village subdivision to accommodate 51 SF homes and a neighborhood park directly north of the College, east of the Marsh Drive alignment were prepared some time ago but a Final Map was never recorded (shown in Exhibit A). Due to various extensions provided by the State, this Vesting Map is valid through August 2013 and can be automatically extended once a Final Map of the first phase records.

Recently the applicant, Pharris, has been negotiating with the Department of Navy to sell Conservation Easements through the Readiness Environmental Preparedness Initiative (REPI) program over the remaining Victory Village Vesting Tentative Map areas west of the Marsh Drive alignment shown on Exhibit B. In order for them to finalize the REPI process, an abandonment of Bush Street west of the Marsh Drive alignment is requested. Because no public utility facilities or streets are located in the proposed abandonment area shown on Abandonment Exhibit, a summary vacation of such right-of-way and public utility easement under California Streets and Highways Code Sections 8330-8336 is allowed and does not require noticed publication, postings, or public hearing.

However, under Government Code section 65402, the Planning Commission still must make a General Plan conformity determination. Because this portion of Bush Street is designated in the General Plan as an arterial and the adjacent areas proposed for Conservation Easements are designated low density residential, a General Plan Amendment and Zone Change are needed and applications for such have been submitted to support the abandonment.

Attached is a resolution of intent to abandon the westerly portion of Bush Street, shown on the "Abandonment Exhibit" with final abandonment consideration anticipated for February 7, 2012 Council meeting after the General Plan public hearing and approval process are concurrently completed.

### **Budget Impact:**

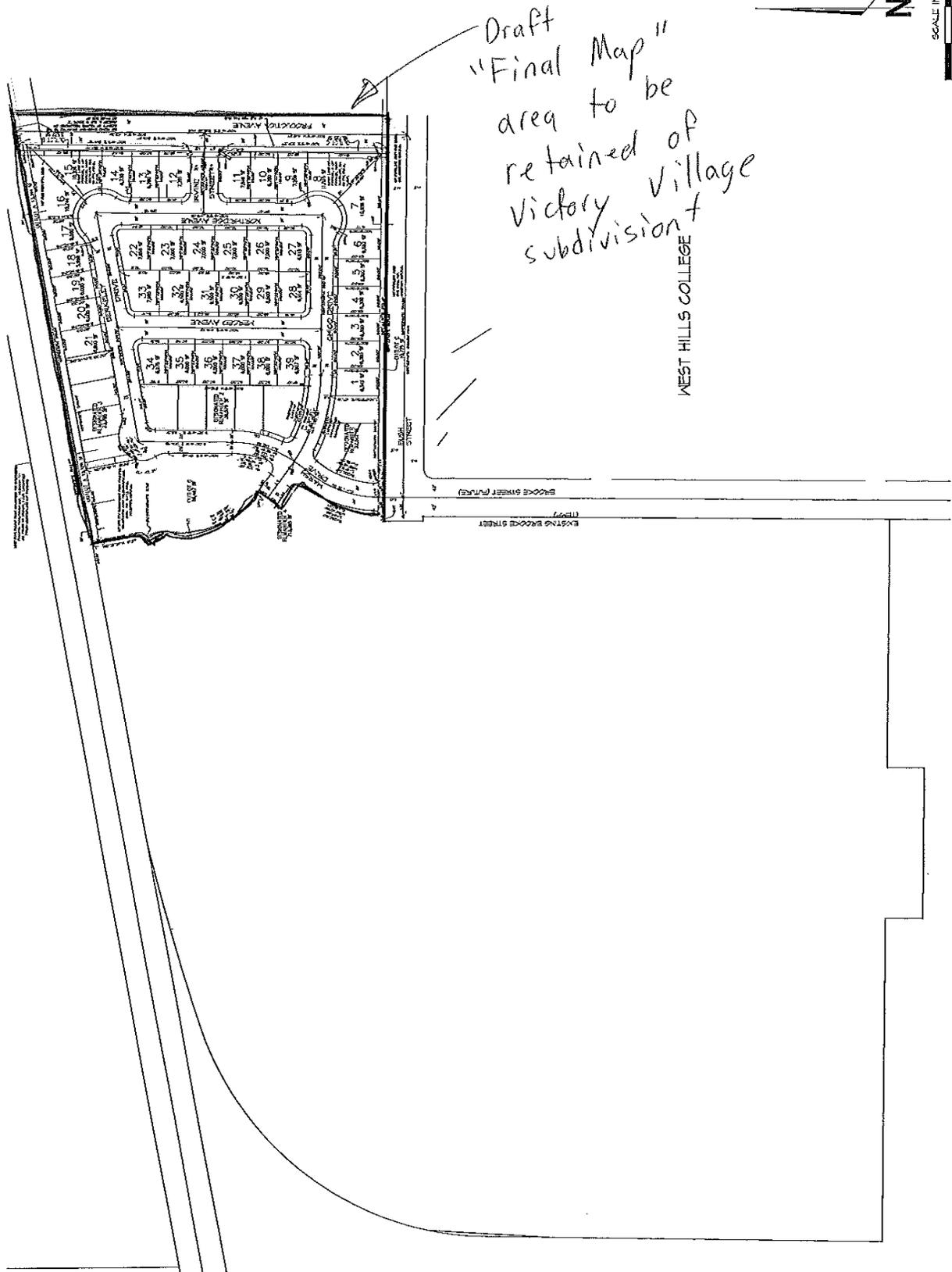
None.

*"In God We Trust"<sub>sm</sub>*

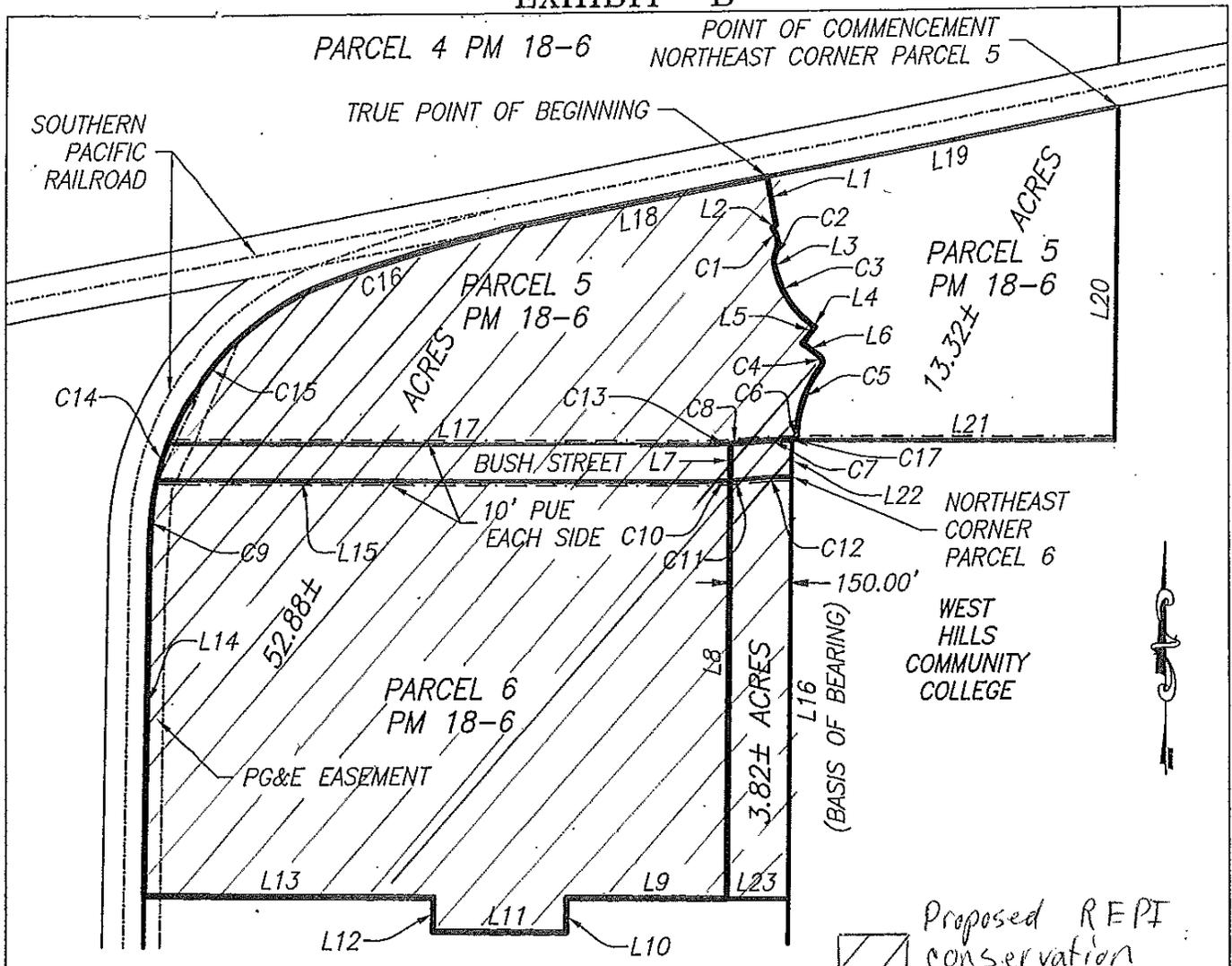
**Recommendation:**

The Council should pass the attached Resolution #2011-48 Declaring Council's Intent to Abandon the westerly portion of Bush Street west of West Hills College and the Marsh Drive alignment which will begin the abandonment proceedings.

# Exhibit A



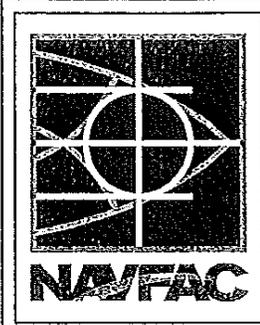
# EXHIBIT "B"



 Proposed REPT conservation easement areas

**NOTES:**

1. PARCELS SHOWN ARE WITHIN SECTION 8, T19S, R20E, M.D.B.M, KINGS CO., CALIFORNIA
2. REFERENCE PM 18-6, DOC. NO. 0618827, REC. 06/28/2006, K.C.R. FOR PARCEL DESCRIPTIONS.
3. BASIS OF BEARING IS THE EAST LINE OF PARCEL 6, PM 18-6 (i.e. N00°37'07").
4. LINE AND CURVE TABLES SHOWN ON SHEET 10 OF 11.
5. CURVE RADIAL DETAILS SHOWN ON SHEET 11 OF 11.



DEPT. OF THE NAVY

NAVFAC SOUTHWEST

## EASEMENT AREA OPEN SPACE AREA

LEMOORE CALIFORNIA

SHEET 2 OF 11

DRAWN BY:	J. LUMSDEN
PLS:	R. SCHMIDT
DATE:	12/05/2011
SCALE (8.5" X 11"):	1" = 400'
FILE NAME:	EXHIBIT "B"