



PLANNING COMMISSION STAFF REPORT

Date: May 26, 2010

Case No.: Engineering File R-10-01

Type: Right-of-Way Vacation

Location: Field View, Foster Vista and Chase Place

APN: 677-540-001 through 677-540-023

Applicant: Palm Springs Unified School District
Wessman Holdings

General Plan: Field View, Foster Vista and Chase Place (Local Streets)

Zone: W-M-1-P

From: Marcus L. Fuller, Asst. Director of Public Works/Asst. City Engineer

PROJECT DESCRIPTION:

The Palm Springs Unified School District and Wessman Holdings have submitted a joint application to the Public Works and Engineering Department to have the existing alignments of Field View, Foster Vista and Chase Place vacated and replaced with a single street to accommodate a revised development layout of the area.

RECOMMENDATION:

Staff recommends that the Planning Commission determine that the vacation of Field View, Foster Vista and Chase Place is consistent with the Circulation Element of the City of Palm Springs General Plan.

ANALYSIS:

On February 9, 2010, the City received a request from MSA Consulting on behalf of the Palm Springs Unified School District ("District") and Wessman Holdings, owners of all of the property located within an undeveloped commercial site located on the east side of Gene Autry Trail, north of Mission Drive, to have the existing alignments of Field View, Foster Vista and Chase Place vacated. This request is consistent with the District's development project, Case 3.3398 – MAJ, approved by the Planning Commission at its February 10, 2010, meeting.¹

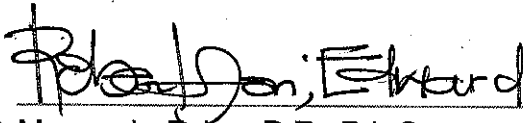
Case 3.3398 includes the construction of a new multi-use service facility for the District, spanning many of the parcels within the underlying commercial development. The original development (Parcel Map 29631) envisioned individual development of single commercial parcels serviced by three local streets: Field View, Foster Vista and Chase Place. As a result of Case 3.3398, and the District's acquisition of many of the parcels within Parcel Map 29631, the original layout of the local streets servicing these individual commercial parcels is no longer necessary, and one single local street in a slightly revised alignment will provide the public access and utility service necessary.

The California Government Code requires that cities determine whether the vacation or abandonment of any street right-of-way is consistent with the City's General Plan. Specifically, Government Code Section 65402(a) states:

*If a general plan or part thereof has been adopted, no real property shall be acquired by dedication or otherwise for street, square, park or other public purposes, and no real property shall be disposed of, **no street shall be vacated or abandoned**, and no public building or structure shall be constructed or authorized, **if the adopted general plan or part thereof applies thereto, until the location, purpose and extent of such acquisition or disposition, such street vacation or abandonment, or such public building or structure have been submitted to and reported upon by the planning agency as to conformity with said adopted general plan or part thereof.** The planning agency shall render its report as to conformity with said adopted general plan or part thereof within forty (40) days after the matter was submitted to it, or such longer period of time as may be designated by the legislative body.*

The Planning Commission is the designated planning agency for the City of Palm Springs. As emphasized in the above cited Government Code, it is necessary for the Planning Commission to determine that the vacation of public right-of-way for Field View, Foster Vista and Chase Place is consistent with the City's General Plan.

¹ Staff will ensure that the Planning Commission's findings for any projects requiring a right-of-way vacation include a finding of consistency with the General Plan with regard to the required right-of-way vacation itself, to avoid the need for separate action by the Planning Commission at the time a right-of-way vacation application is submitted.

for 

Marcus L. Fuller, P.E., P.L.S.
Asst. Director of Public Works/
Asst. City Engineer

ATTACHMENTS:

1. Vicinity Map
2. Existing Site Plan Figure 1 (Parcel Map 29631)
3. Proposed Site Plan Figure 2
4. Resolution

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, DETERMINING THAT THE VACATION OF FIELD VIEW, FOSTER VISTA AND CHASE PLACE IS CONSISTENT WITH THE PALM SPRINGS GENERAL PLAN; FILE R 10-01.

WHEREAS, MSA Consulting, Inc., on behalf of the Palm Springs Unified School District and Wessman Holdings ("Applicant"), owners of all of the properties located within Parcel Map 29631 recorded April 17, 2002, in Book 201 of Parcel Maps, Pages 50-54, has filed an application with the City to have vacated Field View, Foster Vista and Chase Place; and

WHEREAS, Section 65402(a) of the California Government Code requires that no street shall be vacated or abandoned if the adopted general plan applies thereto until the location, purpose and extent of such street vacation or abandonment have been submitted to and reported upon by the planning agency as to conformity with said adopted general plan or part thereof; and

WHEREAS, Section 607 of Article VI of the Charter of the City of Palm Springs established the Planning Commission, and assigned it all duties set out in the California Planning and Zoning Law for a planning agency.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby determines that the proposed right-of-way vacation of Field View, Foster Vista and Chase Place as shown on Exhibits "A" and "B" is consistent with the Palm Springs General Plan.

ADOPTED this 26th day of May, 2010

AYES:

NOES:

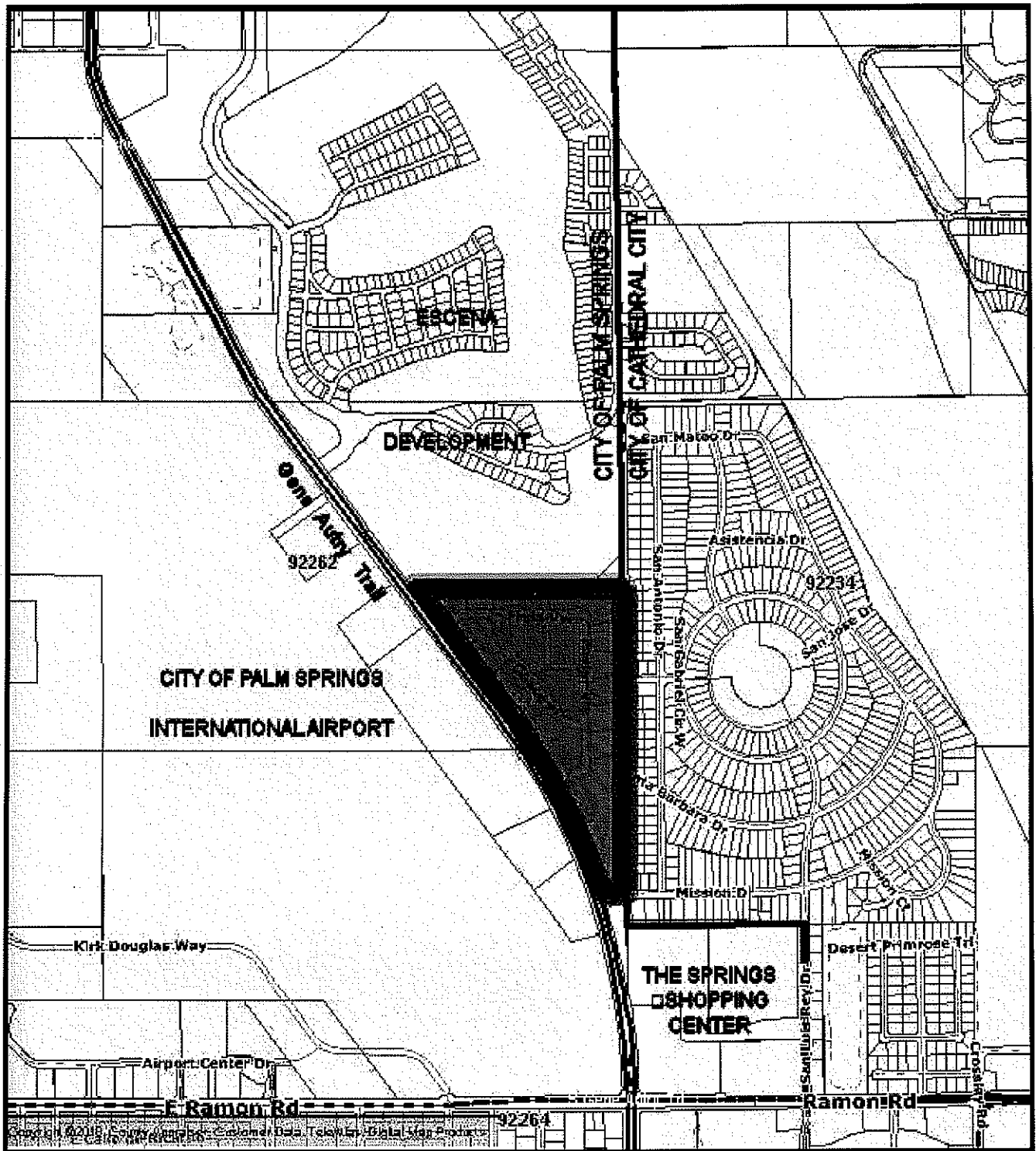
ABSENT:

ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

Craig A. Ewing, AICP
Director of Planning Services



VICINITY MAP
 PM 29631 Right-of-Way Vacation N CityGIS

1200 ft

Copyright © 2006 All Rights Reserved. The information contained herein is the proprietary property of the contributor supplied under license and may not be approved except as licensed by Digital Map Products.

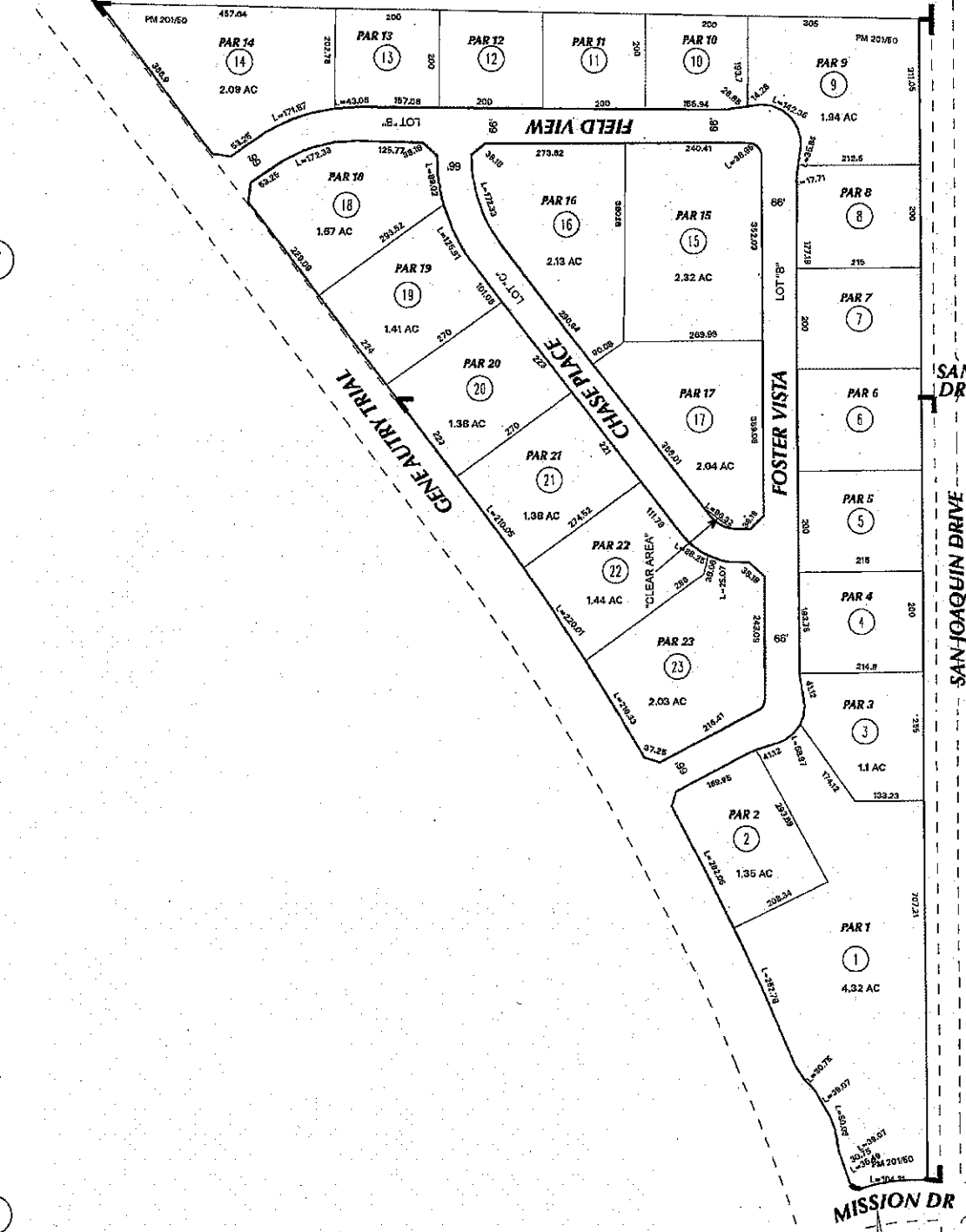
ASSESSOR'S MAP BK677 PG.54
Riverside County, Calif.

4440

27

Nov 2002 PM 201/50-54 PARCEL MAP 29631

28



THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSURED FOR THE ACCURACY OF THE DATA SHOWN. ASSESSOR'S PARCEL MAY NOT COMPLY WITH LOCAL LOT-SPLIT OR BUILDING SITE ORDINANCES.

FIGURE 1

POR. E 18 T. 4 S., R. 5 E
CITY OF PALM SPRINGS

677-54
677-27
677-28

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, DETERMINING THAT THE VACATION OF FIELD VIEW, FOSTER VISTA AND CHASE PLACE IS CONSISTENT WITH THE PALM SPRINGS GENERAL PLAN; FILE R 10-01.

WHEREAS, MSA Consulting, Inc., on behalf of the Palm Springs Unified School District and Wessman Holdings ("Applicant"), owners of all of the properties located within Parcel Map 29631 recorded April 17, 2002, in Book 201 of Parcel Maps, Pages 50-54, has filed an application with the City to have vacated Field View, Foster Vista and Chase Place; and

WHEREAS, Section 65402(a) of the California Government Code requires that no street shall be vacated or abandoned if the adopted general plan applies thereto until the location, purpose and extent of such street vacation or abandonment have been submitted to and reported upon by the planning agency as to conformity with said adopted general plan or part thereof; and

WHEREAS, Section 607 of Article VI of the Charter of the City of Palm Springs established the Planning Commission, and assigned it all duties set out in the California Planning and Zoning Law for a planning agency.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby determines that the proposed right-of-way vacation of Field View, Foster Vista and Chase Place as shown on Exhibits "A" and "B" is consistent with the Palm Springs General Plan.

ADOPTED this 12th day of May, 2010

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

Craig A. Ewing, AICP
Director of Planning Services

EXHIBIT "A"
(LEGAL DESCRIPTION)

PARCEL "A":

THAT PORTION OF PARCEL "B" OF PARCEL MAP NO. 29631, AS SHOWN BY MAP ON FILE IN BOOK 201, AT PAGES 50 THROUGH 54, INCLUSIVE, OF PARCEL MAPS, RIVERSIDE COUNTY RECORDS, BEING IN THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SAN BERNARDINO BASE AND MERIDIAN, CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF PARCEL 12 OF SAID PARCEL MAP 29631, SAID POINT ALSO BEING A POINT ON THE NORTHERLY LINE OF SAID PARCEL "B", OF THAT PUBLIC STREET KNOWN AS FIELD VIEW;

THENCE ALONG THE NORTHERLY, EASTERLY, WESTERLY AND SOUTHERLY LINES OF SAID PARCEL "B" THROUGH THE FOLLOWING TWELVE (12) COURSES:

- (1) THENCE SOUTH $89^{\circ}33'15''$ EAST A DISTANCE OF 555.93 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 100.00 FEET;
- (2) THENCE EASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF $10^{\circ}08'58''$, AN ARC DISTANCE OF 17.71 FEET;
- (3) THENCE TANGENT TO LAST MENTIONED CURVE, NORTH $80^{\circ}17'47''$ EAST A DISTANCE OF 41.12 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 76.00 FEET;
- (4) THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF $109^{\circ}33'22''$, AN ARC DISTANCE OF 145.32 FEET;
- (5) THENCE TANGENT TO LAST MENTIONED CURVE, SOUTH $09^{\circ}51'09''$ WEST A DISTANCE OF 41.12 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 100.00 FEET;
- (6) THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF $10^{\circ}08'58''$, AN ARC DISTANCE OF 17.71 FEET;
- (7) THENCE TANGENT TO LAST MENTIONED CURVE, SOUTH $00^{\circ}17'49''$ EAST A DISTANCE OF 970.93 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 100.00 FEET;

EXHIBIT "A"
(LEGAL DESCRIPTION)

(8) THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF $10^{\circ}08'58''$, AN ARC DISTANCE OF 17.71 FEET;

(9) THENCE TANGENT TO LAST MENTIONED CURVE, SOUTH $10^{\circ}26'47''$ EAST A DISTANCE OF 41.12 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 76.00 FEET;

(10) THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF $82^{\circ}20'15''$, AN ARC DISTANCE OF 109.22 FEET;

(11) THENCE TANGENT TO LAST MENTIONED CURVE, SOUTH $71^{\circ}53'28''$ WEST A DISTANCE OF 41.12 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 100.00 FEET;

(12) THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF $10^{\circ}08'58''$, AN ARC DISTANCE OF 17.71 FEET;

THENCE LEAVING SAID SOUTHERLY LINE NORTH $28^{\circ}15'30''$ WEST A DISTANCE OF 66.00 FEET TO A POINT ON THE WESTERLY LINE OF SAID PARCEL "B";

THENCE ALONG THE WESTERLY AND SOUTHERLY LINES OF SAID PARCEL "B" THROUGH THE FOLLOWING NINE (9) COURSES:

(1) THENCE NORTH $61^{\circ}44'30''$ EAST A DISTANCE OF 56.46 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 25.00 FEET;

(2) THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF $62^{\circ}02'19''$, AN ARC DISTANCE OF 27.07 FEET;

(3) THENCE TANGENT TO LAST MENTIONED CURVE ALONG THE WESTERLY LINE OF SAID PARCEL "B", NORTH $00^{\circ}17'49''$ WEST A DISTANCE OF 243.09 FEET;

(4) THENCE CONTINUING NORTH $00^{\circ}17'49''$ WEST ALONG SAID LINE A DISTANCE OF 120.00 FEET;

(5) THENCE CONTINUING NORTH $00^{\circ}17'49''$ WEST ALONG SAID LINE A DISTANCE OF 711.11 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 25.00 FEET;

EXHIBIT "A"
(LEGAL DESCRIPTION)

(6) THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 89°15'26", AN ARC DISTANCE OF 38.95 FEET;

(7) THENCE TANGENT TO LAST MENTIONED CURVE ALONG THE SOUTHERLY LINE OF SAID PARCEL "B" NORTH 89°33'15" WEST A DISTANCE OF 514.03 FEET;

(8) THENCE CONTINUING NORTH 89°33'15" WEST ALONG SAID LINE A DISTANCE OF 120.00 FEET;

(9) THENCE CONTINUING NORTH 89°33'15" WEST ALONG SAID LINE A DISTANCE OF 125.77 FEET;

THENCE LEAVING SAID SOUTHERLY LINE NORTH 00°26'45" EAST A DISTANCE OF 66.00 FEET TO A POINT ON THE NORTHERLY LINE OF SAID PARCEL "B";

THENCE SOUTH 89°33'15" EAST ALONG SAID NORTHERLY LINE A DISTANCE OF 157.05 FEET TO THE **POINT OF BEGINNING**.

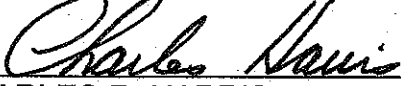
TOGETHER WITH THE 5.00 FEET WIDE PUBLIC UTILITY EASEMENT LYING ALONG AND ADJACENT TO THE ABOVE DESCRIBED PARCEL, AS SHOWN ON SAID PARCEL MAP NO. 29631.

SUBJECT TO EXISTING EASEMENTS, COVENANTS, RIGHTS AND RIGHTS-OF-WAY OF RECORD.

CONTAINING 139,197 SQUARE FEET OR 3.196 ACRES, MORE OR LESS.

EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

PREPARED BY OR UNDER THE DIRECTION OF:



CHARLES R. HARRIS P.L.S. 4989
EXP. 12/31/11

DATED: 2/23/10

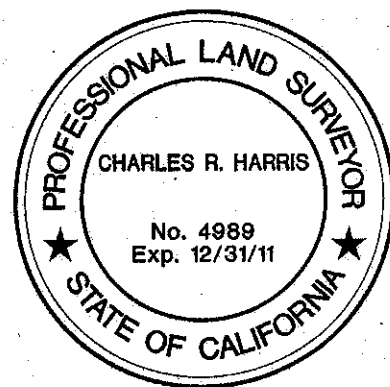


EXHIBIT "A"
(LEGAL DESCRIPTION)

PARCEL "B":

PARCEL "C" OF PARCEL MAP NO. 29631, AS SHOWN BY MAP ON FILE IN BOOK 201, AT PAGES 50 THROUGH 54, INCLUSIVE, OF PARCEL MAPS, RIVERSIDE COUNTY RECORDS, BEING IN THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SAN BERNARDINO BASE AND MERIDIAN, CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

TOGETHER WITH THE 5.00 FEET WIDE PUBLIC UTILITY EASEMENT LYING ALONG AND ADJACENT TO THE ABOVE DESCRIBED PARCEL, AS SHOWN ON SAID PARCEL MAP NO. 29631.

SUBJECT TO EXISTING EASEMENTS, COVENANTS, RIGHTS AND RIGHTS-OF-WAY OF RECORD.

CONTAINING 71,502 SQUARE FEET OR 1.641 ACRES, MORE OR LESS.

EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

PREPARED BY OR UNDER THE DIRECTION OF:

Charles Harris

CHARLES R. HARRIS

P.L.S. 4989

EXP. 12/31/11

DATED: 2/23/10



EXHIBIT "A"
(LEGAL DESCRIPTION)

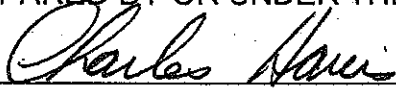
PARCEL "C":

THAT PORTION LOCATED ON THE SOUTHWEST CORNER OF PARCEL 17 SHOWN AS "CLEAR AREA" ON PARCEL MAP NO. 29631, AS SHOWN BY MAP ON FILE IN BOOK 201, AT PAGES 50 THROUGH 54, INCLUSIVE, OF PARCEL MAPS, RIVERSIDE COUNTY RECORDS, BEING IN THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SAN BERNARDINO BASE AND MERIDIAN, CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

CONTAINING 361 SQUARE FEET OR 0.008 ACRES, MORE OR LESS.

EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

PREPARED BY OR UNDER THE DIRECTION OF:



CHARLES R. HARRIS P.L.S. 4989
EXP. 12/31/11

DATED: 2/23/10



EXHIBIT "B"

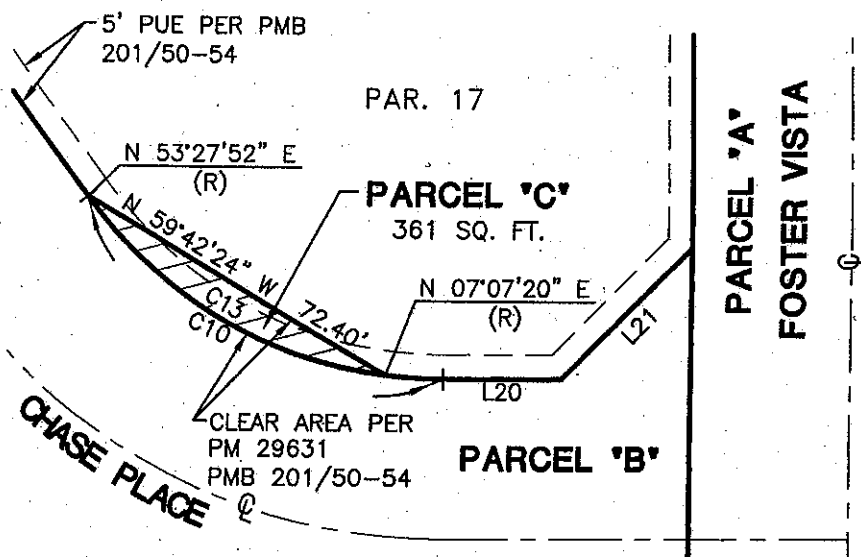
VACATED R/W

CURVE DATA

| NO. | DELTA | RADIUS | LENGTH | TANGENT |
|-----|------------|---------|---------|---------|
| C1 | 10°08'58" | 100.00' | 17.71' | 8.88' |
| C2 | 109°33'22" | 76.00' | 145.32' | 107.65' |
| C3 | 10°08'58" | 100.00' | 17.71' | 8.88' |
| C4 | 10°08'58" | 100.00' | 17.71' | 8.88' |
| C5 | 82°20'15" | 76.00' | 109.22' | 66.46' |
| C6 | 10°08'58" | 100.00' | 17.71' | 8.88' |
| C7 | 62°02'19" | 25.00' | 27.07' | 15.03' |
| C8 | 89°15'26" | 25.00' | 38.95' | 24.68' |
| C9 | 36°58'53" | 267.00' | 172.33' | 89.29' |
| C10 | 53°45'41" | 92.00' | 86.32' | 46.64' |
| C11 | 53°45'41" | 158.00' | 148.25' | 80.09' |
| C12 | 36°58'53" | 333.00' | 214.93' | 111.36' |
| C13 | 46°20'32" | 92.00' | 74.41' | 39.38' |

LINE DATA

| NO. | BEARING | LENGTH |
|-----|---------------|---------|
| L1 | S 89°33'15" E | 555.93' |
| L2 | N 80°17'47" E | 41.12' |
| L3 | S 09°51'09" W | 41.12' |
| L4 | S 00°17'49" E | 970.93' |
| L5 | S 10°26'47" E | 41.12' |
| L6 | S 71°53'28" W | 41.12' |
| L7 | N 28°15'30" W | 66.00' |
| L8 | N 61°44'30" E | 56.46' |
| L9 | N 00°17'49" W | 243.09' |
| L10 | N 00°17'49" W | 120.00' |
| L11 | N 00°17'49" W | 711.11' |
| L12 | N 89°33'15" W | 514.03' |
| L13 | N 89°33'15" W | 120.00' |
| L14 | N 89°33'15" W | 125.77' |
| L15 | N 00°26'45" E | 66.00' |
| L16 | S 89°33'15" E | 157.05' |
| L17 | S 45°26'36" W | 38.19' |
| L18 | S 00°26'45" W | 14.42' |
| L19 | S 36°32'08" E | 656.85' |
| L20 | N 89°42'11" E | 25.07' |
| L21 | N 44°42'11" E | 38.18' |
| L22 | N 45°17'49" W | 38.18' |
| L23 | S 89°42'11" W | 25.07' |
| L24 | N 36°32'08" W | 656.85' |
| L25 | N 00°26'45" E | 14.42' |
| L26 | N 44°33'06" W | 38.19' |



MSA CONSULTING, INC.
PLANNING ■ CIVIL ENGINEERING ■ LAND SURVEYING

34200 BOB HOPE DRIVE ■ RANCHO MIRAGE ■ CA 92270
TELEPHONE (760) 320-9811 ■ FAX (760) 323-7893

VACATED R/W

LEGAL DESCRIPTION: SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION.

CRH

1"=200'

R10-01

CHECKED BY:
CRH

W.O. #
1970

SHEET NO.:
2 OF 2