

Vacation #18-03

Vacation of Emergency Vehicle Access in Summer Creek Subdivision

City Council
2/19/2019



20-Foot-Wide
Temporary Access
Easement

20-Foot-Wide
Temporary Access
Easement



Vacation Area – Closer Look



- Lot 5 is occupied and privately owned.
- Lots 6, 7, 17, 18, and 29 vacant and owned by Bright Development.

Status of Vacation Request

(EVA – Emergency Vehicle Access)

- MID has agreed to accept the easement area between McKee Rd. and Whitewater Way (except the area for Lot 5).
- MID agreed to allow the City to maintain the access easement, but would need a maintenance agreement if the City expects the property to be maintained for vehicular access.
- The City would be responsible for maintenance of the EVA.

New Issues

- Staff discovered the MID Distribution Box at the northeast corner of the easement area would block access to Whitewater Way if Lot 29 is developed.
- The owner of Lot 5 does not want to deed their property to MID.
- An additional maintenance agreement would be needed with the owner of Lot 5 if easement is maintained.



Maintenance Issues

(EVA – Emergency Vehicle Access)

- If the easement is not vacated, maintenance could be an issue.
- If easement is deeded to MID, they would require the City to maintain the easement for vehicular purposes.
- An additional agreement would be needed with owner of Lot 5.
- If vacation not granted and property isn't deeded to MID, the owner of each lot would be required to maintain the area, which could be problematic for maintaining the area for vehicular traffic and keeping clean.

Options for Lots 5, 6, 7, 17, 18, and 29

(EVA – Emergency Vehicle Access)

OPTIONS THAT WOULD NOT MAINTAIN EVA

- Grant the vacation for Lots 5, 6, 7, 17, 18, and 29, subject to the easement area on Lots 6, 7, 17, 18, and 29 being deeded to MID (staff recommendation).
- Grant the vacation for Lots 5, 6, 7, 17, 18, and 29 with the property reverting back to the individual lots/owners.
- Grant the vacation and reconsider the access from Whitewater Way to Yosemite Avenue.
- Grant the vacation and work to obtain access to Whitewater Way with an east/west road that would align with Silverado Avenue to the west of McKee Road.

Options for Lots 5, 6, 7, 17, 18, and 29

OPTIONS TO MAINTAIN THE EVA

- Deny the vacation, work with Bright Development to ensure property is deeded to MID, then work with MID and the owner of Lot 5 on a maintenance agreement as well as purchase of Lot 29 to allow sufficient access to Whitewater Way.
- Deny the vacation which would allow the property to revert to each individual lot.

Lot 130

- This easement is not affected by the MID easement or access to the subdivision.
- Staff recommends approving the Vacation for the easement adjacent to Lot 130 separately from the other vacation.



Recommendation

- Approve Vacation for Lot 130;
- Approve Vacation for Lots 5, 6, 7, 17, 18, and 29, subject to easement area on Lots 6, 7, 17, 18, and 29 being deeded to MID; OR,
- Provide direction according to Options in Admin Report; OR,
- Provide other direction to staff.

City Council Action

- Open Public Hearing;
- Take action on Lot 130;
- Take action on Lots 5, 6, 7, 17, 18, and 29.



Questions...