



Legislation Details (With Text)

**File #:** 23-837      **Version:** 1      **Name:**

**Type:** Consent Item      **Status:** Passed

**File created:** 9/18/2023      **In control:** Planning Commission

**On agenda:** 10/4/2023      **Final action:** 10/4/2023

**Title:** SUBJECT: Vacation #23-03 - initiated by the Richman Group on behalf of Devonwood 64, LP, property owner, to abandon a 64-foot-wide Public Utilities Easement (PUE) on the south side of Devonwood Drive, west of Bannon Lane.

**ACTION FINDING:**  
1) The proposed Vacation is consistent with the General Plan.

**SUMMARY**  
This request is to vacate a 64-foot-wide Public Utilities Easement (PUE) on the south side of Devonwood Drive, west of Bannon Lane. The applicant would grant a new 40-foot-wide PUE to accommodate the existing utilities in the area.

**RECOMMENDATION**  
Planning staff recommends that the Planning Commission adopt a Finding that the proposed Vacation is consistent with the General Plan.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Att A - Location Map, 2. Att B - Site Plan, 3. Att C - Vacation Area

Date	Ver.	Action By	Action	Result
10/4/2023	1	Planning Commission	approved	Pass

**Planning Commission Staff Report**

*Report Prepared by:* Julie Nelson, Senior Planner, Development Services Department

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**RECOMMENDATION**

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## **DISCUSSION**

### Project Description

The project site is located on the south side of Devonwood Drive, between Loughborough Drive and Austin Avenue (Attachment A). This site was approved for the construction of a 156-unit apartment complex in 2021. The new developer determined that one of the proposed buildings would encroach into the existing 64-foot-wide PUE (Attachment B). Therefore, in order to keep all the buildings outside the easement area, the new developer (the Richman Group) on behalf of the property owner is requesting the existing PUE be abandoned and a new 40-foot-wide easement be dedicated. The legal description and map showing the proposed vacation area is shown at Attachment C.

There are currently sewer and water mains that run through the easement area. The Engineering Department has reviewed the applicant's request to vacate the existing 64-foot-wide PUE and dedicate a new 40-foot-wide PUE and determined that it would be acceptable. All utilities would fit within the 40-foot PUE and still allow sufficient room for crews and equipment to work within the easement area if needed.

The General Plan does not address such routine issues as abandoning streets and rights-of-way. Therefore, the abandonment would not conflict with any goals, policies, or actions in the General Plan, and the proposed vacation is consistent with the General Plan.

## **ATTACHMENTS**

- A) Location Map
- B) Site Plan
- C) Legal Description and Site Plan for Vacation #23-03