



Staff Report

TO: City Council
FROM: Robert Vestal, Public Works Director
DATE: March 5, 2024
SUBJECT: Public Hearing Vacating Desert Lawn Drive between Oak Valley Parkway and 2,500 feet south of Oak Valley Parkway

Description Consideration of a Resolution Vacating Desert Lawn Drive, between Oak Valley Parkway and 2,500 feet south of Oak Valley Parkway and Interstate 10 Freeway.

Background and Analysis:

On February 6, 2024, City Council accepted the Notice of Intent (NOI) to vacate Desert Lawn Drive, between Oak Valley Parkway and 2,500 feet south of Oak Valley Parkway. The street vacation is in conjunction with the Plot Plan 2018-0119 Beaumont Landing project. The project is proposing to realign a portion of Desert Lawn Drive, coincident with the project's boundary.

On February 6, 2024, City Council accepted right-of-way dedicated for the new alignment of Desert Lawn. Subsequently, the old portion of Desert Lawn Drive requires vacation to complete the realignment process.

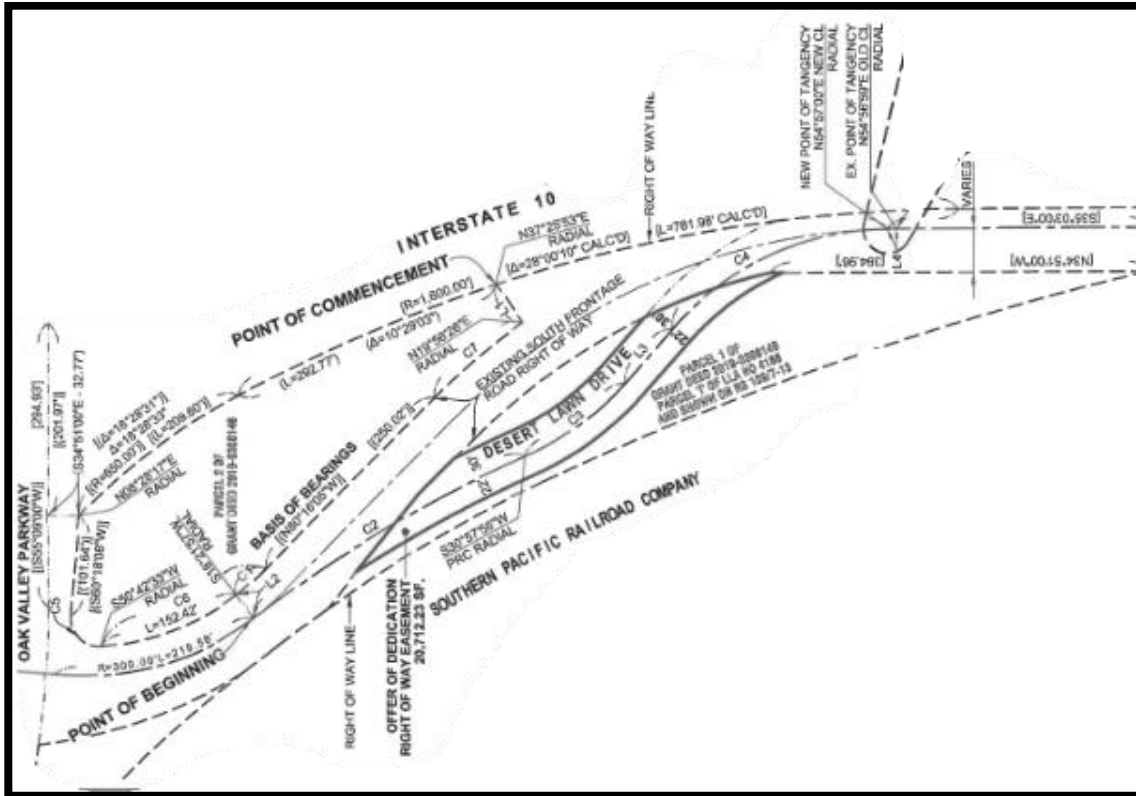


Figure 1- New Alignment of Desert Lawn Drive

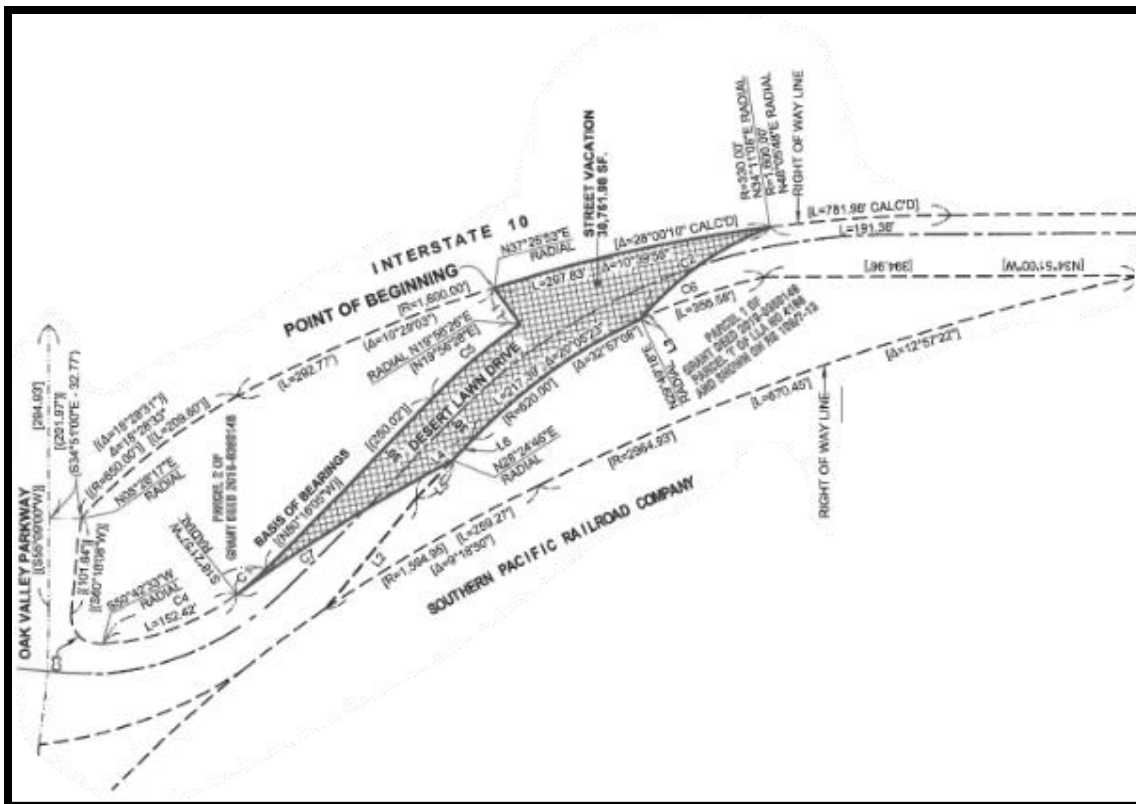


Figure 2- Portion of Desert Lawn Drive to be Vacated

Section 8320(2) of the Streets and Highways Code (SHC) requires the City to publish the Notice of Hearing for the proposed street vacation at least fifteen days (15) before the hearing date. City staff published a Notice of Hearing in the Press-Enterprise on February 19, 2024. Refer to Attachment C for proof of publication.

Section 8322(a) of the SHC requires the legislative body to publish the Notice of Hearing for the proposed street vacation in a daily, semi-weekly, or weekly newspaper published and circulated in the city. Staff will publish all such notices. City staff published a Notice of Hearing in the Press-Enterprise on February 19, 2024.

Section 8323 of the SHC requires the legislative body to post notices of street vacation along the line of the street at least two weeks before the public hearing. The notices shall be posted not more than 300 feet apart, but at least three (3) notices shall be posted. City staff posted notices along Desert Lawn Drive on February 20, 2024. Refer to Attachment E for copy of notice and pictures of postings along Desert Lawn Drive.

Section 8324 of the SHC requires the legislative body to hear evidence from persons interested in the proposed street vacation. City staff published a Notice of Hearing in the Press-Enterprise on February 19, 2024. Refer to Attachment C for proof of publication.

Section 8341 of the SHC requires that the resolution to vacate the street include a recital for the reservation of existing easements such as existing utility easements and existing emergency access easements, if required by the public agency. City staff has determined that existing public utility easements shall be reserved. Refer to Attachment A for Resolution of the City Council of the City of Beaumont, California, Vacating Desert Lawn Drive, South Oak Valley Parkway.

Section 8324 of the SHC allows the legislative body to adopt a resolution to vacate the proposed street, if the City Council finds, from all the evidence submitted, that the street described in the notice of hearing is unnecessary for present or prospective public use.

City staff recommends City Council adopts a Resolution of the City Council of the City of Beaumont, California, Vacating Desert Lawn Drive, South Oak Valley Parkway.

Fiscal Impact:

The cost of preparing the staff report and posting the notices is estimated to be \$1,200.

Recommended Action:

Waive the full reading and adopt by title only, "A Resolution of the City of Beaumont, Vacating the Right-Of-Way Easement of Desert Lawn Drive, South of Oak Valley Parkway."

Attachments:

- A. Resolution of the City Council of the City of Beaumont, California, Vacating Desert Lawn Drive, south of Oak Valley Parkway
- B. Legal Description and Plat for Desert Lawn Drive
- C. Notice of Hearing – Proof of Publication
- D. California Streets and Highway Code for Street Vacation
- E. Desert Lawn Drive Vacation Posting