



City of Huntington Beach Planning and Building Department

STUDY SESSION REPORT

TO: Planning Commission
FROM: Scott Hess, AICP, Director of Planning and Building
BY: Hayden Beckman, Planning Aide 
DATE: January 25, 2011
SUBJECT: GENERAL PLAN CONFORMANCE NO. 10-005 (LOMA AVENUE EASEMENT VACATION)

APPLICANT: Public Works Department, City of Huntington Beach, 2000 Main Street, Huntington Beach, CA 92648

PROPERTY

OWNER: City of Huntington Beach, 2000 Main Street, Huntington Beach, CA 92648

LOCATION: Terminus of Loma Avenue, west of 14th Street at Main Street.

PROJECT REQUEST AND SPECIAL CONSIDERATIONS

General Plan Conformance No. 10-005 represents a request, pursuant to Section 65402 of the California Government Code, by the City of Huntington Beach Public Works Department to determine if the vacation of an approximately 6,111 square foot portion of a right-of-way easement is in conformance with the goals, objectives, and policies of the General Plan. The intent of the request is to vacate the City's interest in the subject right-of-way area and allow the fee title to be granted to the adjacent property owners.

The subject right-of-way easement is located at the terminus of Loma Avenue, situated immediately north of the San Nicholas Circle cul-de-sac, west of 14th Street. The project site is surrounded by the First Christian Church (FCC) campus to the north and east, single family residential uses to south and the Loma Avenue public right-of-way to the east. The area to be vacated measures approximately 60 feet wide by 120 feet long and is currently an improved drive aisle providing vehicular access to the southern portion of the First Christian Church property. The subject parcel has not been used for public street purposes since the intersecting portion of 16th Street was vacated to First Christian Church in 1971 by City Council Resolution No. 3440.

The project site is located immediately south of a property that was granted approval of Mitigated Negative Declaration No. 2006-008, Conditional Use Permit No. 2006-035, and Variance No. 2007-001 which allowed the expansion and remodel of the existing church facility. The redevelopment of the FCC site is currently complete and the subject area received landscape and perimeter wall upgrades for the vehicular access driveway from Loma Avenue onto the property. The drive aisle now features a security gate preventing direct public pedestrian and vehicular access from Loma Avenue.

The vacation will facilitate the resolution of an outstanding issue of private encroachment onto a remnant parcel of public right-of-way. The fee title of the subject area will revert to the adjacent property owners, which include the residential home owners association to the south and the First Christian Church site to the north.

CURRENT LAND USE, HISTORY OF SITE, ZONING AND GENERAL PLAN DESIGNATIONS

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Area:	Right-of-Way (ROW)	ROW	Improved Drive Aisle
North and West of Subject Area:	P(RL) – (Public underlying Residential Low Density)	PS (Public – Semipublic)	First Christian Church
East of Subject Area:	ROW	ROW	Loma Avenue
South of Subject Area (across San Nicolas Circle):	RL-7 (Residential Low Density – 7 du/ac)	RL (Residential Low Density)	Single Family Residential

APPLICATION PROCESS AND TIMELINES

DATE OF COMPLETE APPLICATION:

December 16, 2010

MANDATORY PROCESSING DATE(S):

January 25, 2011 (40 days from complete application)

General Plan Conformance No. 10-005 is tentatively scheduled for non-public hearing action by the Planning Commission on February 8, 2011. The Public Works Department will subsequently submit the alley vacation request to the City Council for final approval.

CEQA ANALYSIS/REVIEW:

The proposed project is categorically exempt pursuant to City Council Resolution No. 4501, Class 5, which supplements the California Environmental Quality Act (CEQA) because the request is a minor street vacation.

COMMENTS FROM CITY DEPARTMENTS AND OTHER PUBLIC AGENCIES:

No comments regarding General Plan Conformance No. 10-005 have been received from other City departments or agencies. The Public Works Department is in agreement with the request.

PUBLIC MEETINGS, COMMENTS AND CONCERNS:

No public meetings have been held regarding this General Plan Conformance request.

PLANNING ISSUES

The only issue to consider as part of this request is the project's conformance to the City's General Plan. The following goals and objective pertain to the right-of-way easement vacation:

A. Land Use Element

LU Goal 2: Ensure that development is adequately served by transportation infrastructure, utility infrastructure, and public services.

The right of way easement is not necessary to support existing and future public use. Upon vacation, the fee title for the vacated area will revert equally to the First Christian Church property to the north and the residential home owners association to the south. Additionally, The Public Works Department recorded a 10' wide utility easement with the First Christian Church organization to provide maintenance access to an existing 8" diameter water main that runs adjacent to the centerline of the subject easement area west through the First Christian Church property ending at 17th Street (See Attachment No. 2). The agreement precludes construction of any permanent buildings or other surface development over the easement area that would restrict access to the water facility for maintenance.

B. Circulation Element

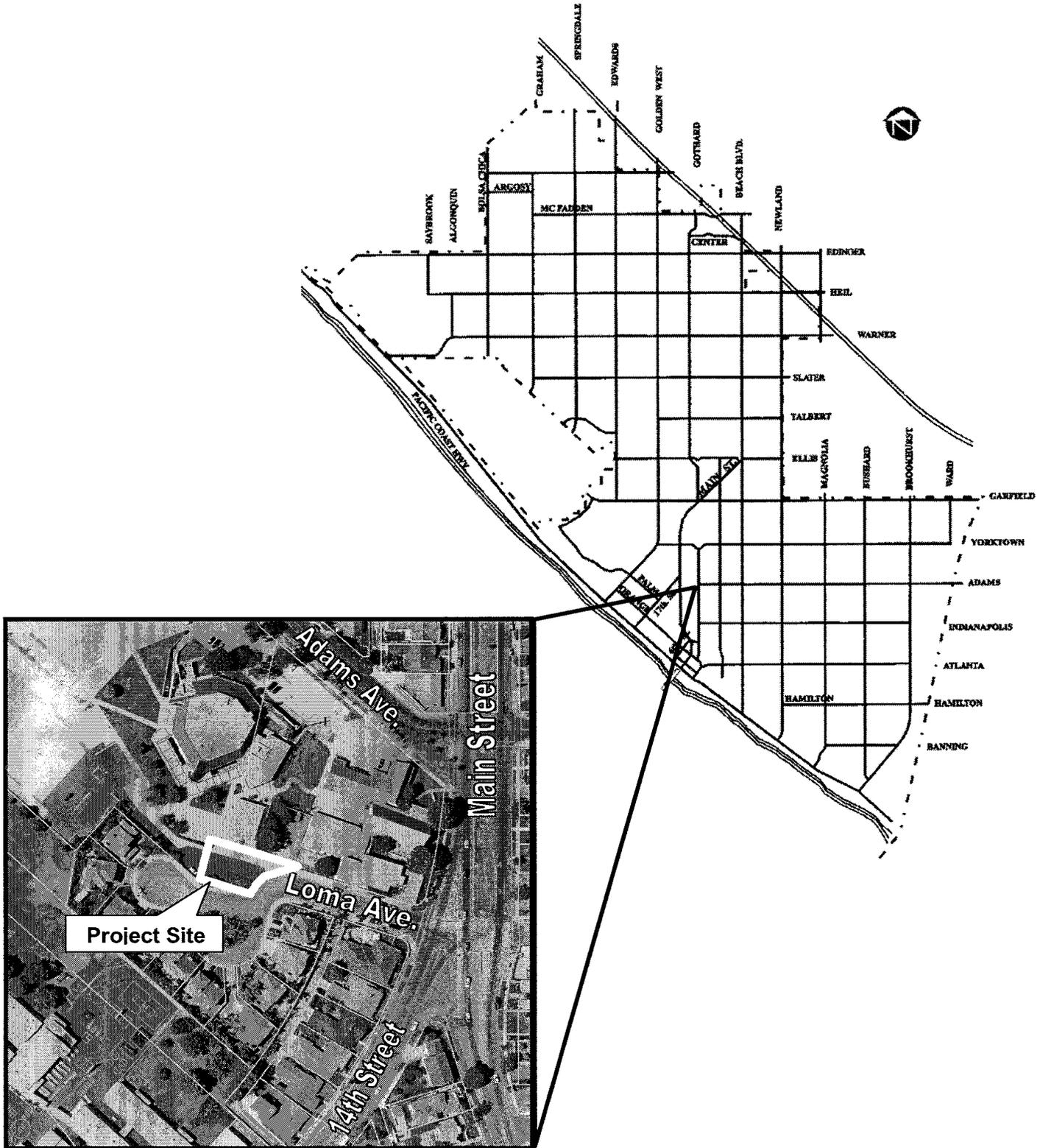
CE Objective 1.1: Balance the circulation system with the circulation demands generated by the implementation of the City's Land Use Element.

CE Goal 2: Provide a circulation system which supports existing, approved, and planned land uses throughout the City while maintaining a desired level of service on all streets and at all intersections.

Existing streets currently provide sufficient access to the surrounding institutional and residential uses. The subject right-of-way easement is not necessary to support the public circulation needs of the abutting properties, and in adjusting the right-of-way boundary to reflect existing conditions, the easement vacation will not have a detrimental impact on the circulation system.

ATTACHMENTS:

1. Vicinity Map – Loma Avenue Easement Vacation
2. Project Narrative Dated November 17, 2010



VICINITY MAP
GENERAL PLAN CONFORMANCE NO. 2010-005
(LOMA AVENUE EASMENT VACATION)

Project Narrative

Project: **Street Vacation – Loma Avenue (westerly end, north of San Nicholas Court)**
Application: General Plan Conformance / Street Vacation
Applicant: City of Huntington Beach Department of Public Works
Contact: Steve Bogart, Senior Civil Engineer
Phone #: (714) 536-5431
Date: January 18, 2011

Project Summary

An existing segment of Loma Avenue (60 feet wide and approximately 120 feet long, along the street's centerline), which is west of Main Street, has not been used for public street purposes since the intersecting portion of 16th Street was vacated to First Christian Church (FCC) at 1207 Main Street in the Year 1972. The City currently proposes to vacate its easement "for public street purposes" over this segment of Loma Avenue.

The subject section of Loma Avenue is bounded on the north and west by the existing church, FCC, on the south by a cul-de-sac, San Nicholas Circle, and a 2-foot wide Lot 'A' (to Sea Cliff Partners on Tract Map 14318) and on the east by Loma Avenue.

Once vacated, the underlying fee title ownership of the remnant segment of Loma Avenue will revert to the adjacent property owners (FCC at 1207 Main Street to the north and Seacliff Partners to the south) per the California Streets and Highways Code. The only existing public utility within the subject portion of Loma Avenue to be vacated is an 8-inch diameter City water pipeline. For this reason, the City has required that an easement (10 feet wide) be dedicated to the City for public utility purposes (over this area), which will preclude construction of any permanent buildings or any other surface development consisting of (but not limited to) walls, parking and landscape, etc. The subject water line easement has been dedicated to the City and recorded with the County Recorder's office in 2009 and a copy is on file with the City Clerk's office.

Project Background

The purpose of this project is to comply with the Streets and Highway Code by allowing the owners to obtain square footage of the vacated portion Loma Avenue. The area is currently utilized by FCC as a paved drive aisle with surrounding landscaping. This proposed street vacation will also provide resolution to an outstanding issue of private encroachment onto a remnant portion of public right-of-way.

Street Vacation

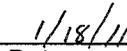
The Loma Avenue road width proposed to be vacated (approx. 6,050 square feet) lies to the north and south of the street centerline indicated on the attached Exhibit 1.

Hazardous Waste and Substance Declaration

Based on information obtained through the Planning Department, the proposed project site is not located within a Hazardous Waste and Substance site pursuant to Section 65962.5 of the Government Code.



Steve Bogart, Applicant



Date

PROPOSED STREET VACATION OF LOMA AVENUE

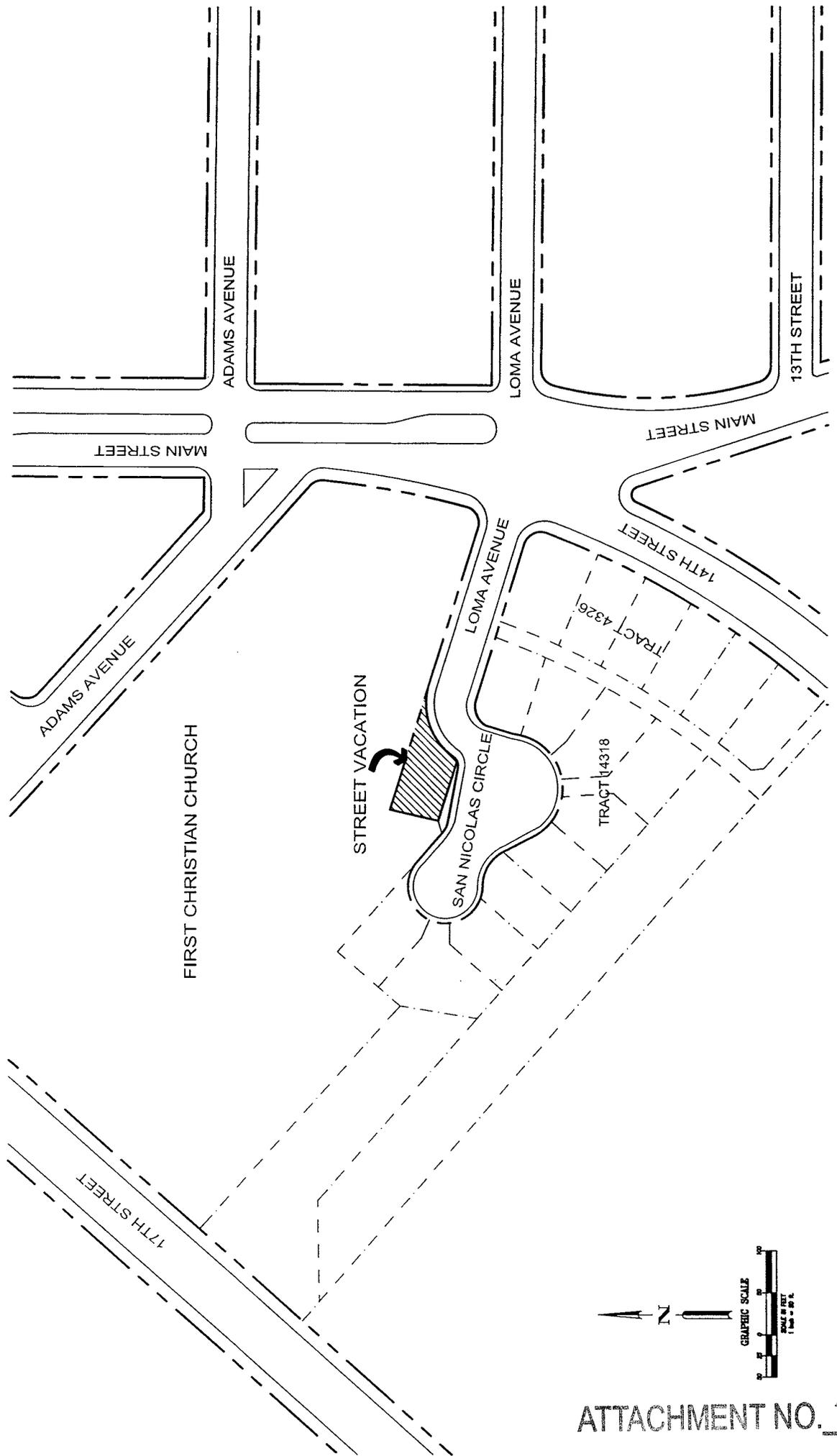


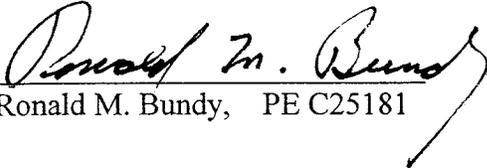
EXHIBIT "A"

Legal Description for Street Vacation Purposes

That portion of Loma Avenue, Wesley Heights, City of Huntington Beach, , as per map recorded in book 4, page 23, recorded in the Office of the County Recorder of the County of Orange, State of California, described as follows:

Beginning at the westerly terminus of that certain course on the map of Tract No. 14318 as filed in book 706, pages 24 through 26, inclusive of miscellaneous maps, in the office of the County Recorder of said County, as having a bearing and distance of " N 72°48'47" E 232.62' ", said point also being the intersection of the rights-of-way of Loma Avenue and 16th Street as shown on said map, 16th Street having been vacated between Adams Avenue and Loma Avenue by resolution recorded February 10, 1972 in book 9997, page 373 of Official Records of said County; thence along the westerly right-of-way of said 16th Street N 12°48'50" E a distance of 60.18 feet to a point of intersection of said 16th Street right-of-way with the westerly extension of the northerly right-of-way of Loma Avenue; thence along said extension and said northerly right-of-way S 72°48'47" E a distance of 161.56 feet to the northeasterly terminus of a curve, concave southeasterly and having a radius of 80.00 feet; thence southwesterly along said curve an arc distance of 100.75 feet through a central angle of 72°09'25" to a point of reverse curvature with a curve concave northwesterly and having a radius of 12.00 feet; thence southwesterly along said curve an arc distance of 5.28 feet through a central angle of 25°11'37" to a point on the southerly right-of-way of Loma Avenue; thence along said right-of-way N 72°48'47" W a distance of 78.17 feet to the point of beginning.

Said street vacation contains 6,111 square feet (0.140 Acres) more or less. Said land being more particularly shown on Exhibit "B" attached hereto and made a part hereof.


Ronald M. Bundy, PE C25181

ATTACHMENT NO. 2.3

EXHIBIT "B"

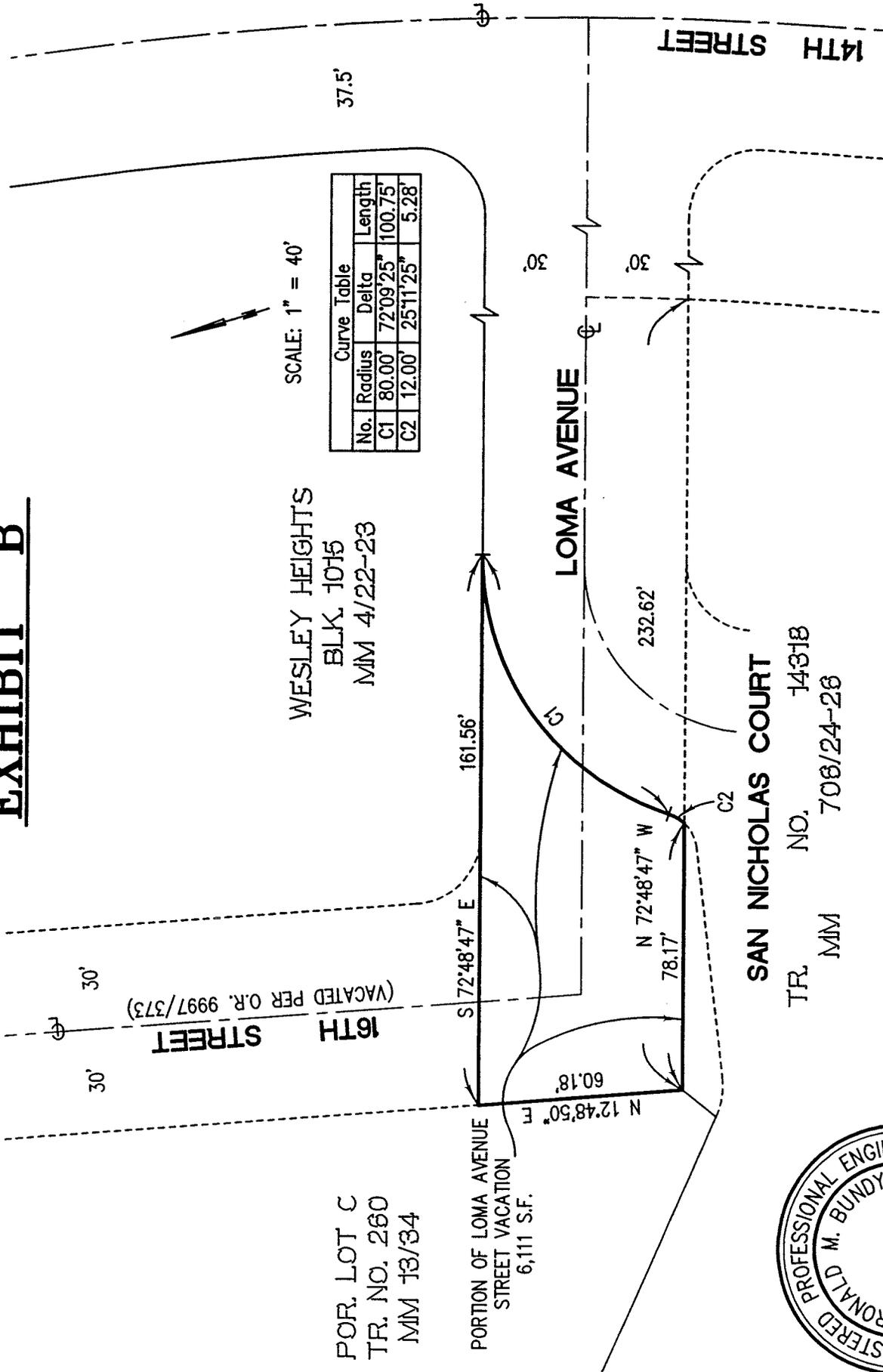
POR. LOT C
TR. NO. 260
MM 13/34

WESLEY HEIGHTS
BLK. 1015
MM 4/22-23

PORTION OF LOMA AVENUE
STREET VACATION
6,111 S.F.

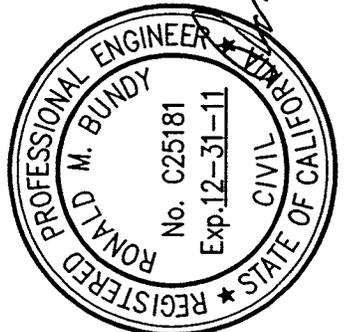
Curve Table		
No.	Radius	Length
C1	80.00'	100.75'
C2	12.00'	5.28'

SCALE: 1" = 40'



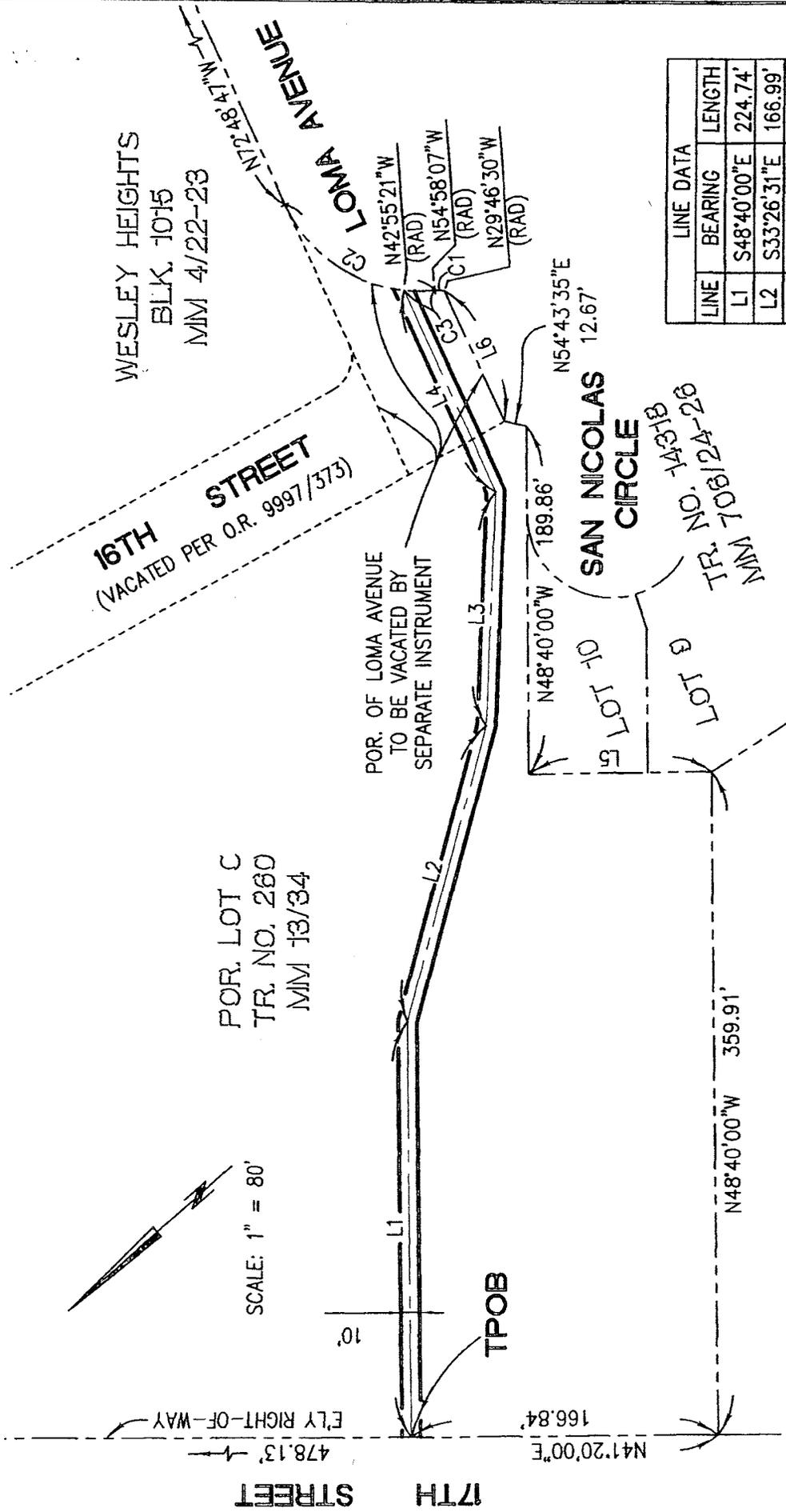
SAN NICHOLAS COURT

TR. NO. 14318
MM 706/24-26



Ronald M. Bundy
RONALD M. BUNDY
PE C25181
DATE 11-2-2010

EXHIBIT "B"



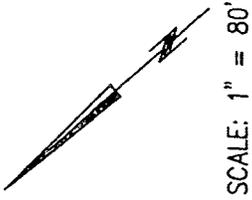
WESLEY HEIGHTS
BLK. 1015
MM 4/22-23

16TH STREET
(VACATED PER O.R. 9997/373)

POR. LOT C
TR. NO. 260
MM 13/34

POR. OF LOMA AVENUE
TO BE VACATED BY
SEPARATE INSTRUMENT

SAN NICOLAS CIRCLE
TR. NO. 7008/24-28
MM 14/31B



SCALE: 1" = 80'

17TH STREET

TPOB

N41°20'00"E
166.84'

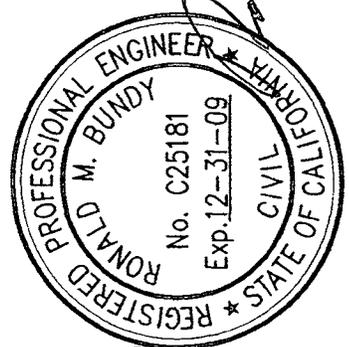
N48°40'00"W 359.91'

N48°40'00"W 189.86'

N54°43'35"E
12.67'

LINE DATA		
LINE	BEARING	LENGTH
L1	S48°40'00"E	224.74'
L2	S33°26'31"E	166.99'
L3	S45°58'05"E	128.12'
L4	S72°43'11"E	120.56'
L5	N40°59'55"E	99.80'
L6	N72°48'47"W	78.18'

CURVE DATA			
CURVE	DELTA	RADIUS	LENGTH
C1	25°11'37"	12.00'	5.28'
C2	72°09'25"	80.00'	100.75'
C3	12°02'46"	80.00'	16.82'



Ronald M. Bundy
RONALD M. BUNDY
PE C25181

10-28-08
DATE