

**City of Garden Grove**

**INTER-DEPARTMENT MEMORANDUM**

To:	Matthew Fertal	From:	Susan Emery
Dept:	City Manager	Dept:	Community Development
Subject:	CONSIDERATION OF STREET VACATION NO. SV-118-10 TO VACATE THAT PORTION OF WALNUT STREET	Date:	April 13, 2010

OBJECTIVE

The purpose of this report is to consider a request to vacate that portion of Walnut Street, Garden Grove, located between Century Boulevard and Taft Street, as identified, to remove the underutilized public right-of-way and thereby facilitate the future development of the area.

BACKGROUND

On October 19, 2000, the Garden Grove Traffic Commission approved the closure of this portion of the street as the parcels that were served by this portion of Walnut Street were owned by the Garden Grove Agency for Community Development and did not require right-of-way access.

On January 21, 2010, the Planning Commission determined that the proposed Street Vacation conformed with the City's adopted General Plan pursuant to Government Code Section 65402.

On March 9, 2010, the City Council adopted a Resolution of Intention to set April 13, 2010, at 6:30 p.m. in the Council Chamber, as the date, time, and location for the hearing to vacate a portion of Walnut Street for Street Vacation No. SV-118-10.

DISCUSSION

The portion of Walnut Street that will be vacated is located between Century Boulevard and Taft Street. The Street Vacation will facilitate the future development of this area by incorporating the street into the total developable land area of the redevelopment project site known as the Century Triangle.

The General Plan Land Use designations for the properties located adjacent to this portion of Walnut Street are Residential/Commercial Mixed Use 1 and Civic/Institution. The Residential/Commercial Mixed Use 1 designation is intended to provide a mix of higher density residential and commercial uses, while the

Civic/Institution is intended to provide educational uses, hospitals, and government facilities.

The City's redevelopment plan seeks to develop this area with residential condominiums, a use that is consistent with the General Plan and the zoning designation of the area. The vacated street will be incorporated into the total developable land area of the project site, which will be approximately 2.67 acres. A residential development in this area will help to further revitalize downtown Garden Grove.

The Street Vacation is being processed in accordance with the procedures set forth in the Streets and Highways Code Section 8320, et. seq. Pursuant to these requirements, a Resolution of Intention was posted on and around the street to be vacated, in order to provide the public with an opportunity to comment on the proposed Street Vacation.

No reservations have been requested for any public utility easement within the street portion that is being vacated.

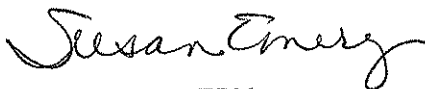
FISCAL IMPACT

No fiscal impact to the City.

RECOMMENDATION

The City Council takes the following action:

- Approve Street Vacation No. SV-118-10.



SUSAN EMERY  
Community Development Director



By: Maria Parra  
Urban Planner

**Approved for Agenda Listing**



**Matthew Feral**  
City Manager

- Attachment 1: City Council Memo dated March 9, 2010 with attachments  
Attachment 2: City Council Resolution of Intention No. 8953-10 for Street Vacation No. SV-118-10  
Attachment 3: Draft City Council Resolution of Approval for Street Vacation No. SV-118-10  
Attachment 4: Exhibit "A" Street Vacation No. SV-118-10 legal description and plot plan

**City of Garden Grove**

**INTER-DEPARTMENT MEMORANDUM**

To:	Matthew Fertal	From:	Susan Emery
Dept:	City Manager	Dept:	Community Development
Subject:	CONSIDERATION OF INTENT TO VACATE A PORTION OF WALNUT STREET FOR STREET VACATION NO. SV-118-10	Date:	March 9, 2010

OBJECTIVE

The City of Garden Grove is requesting a hearing date in order to take the appropriate action to vacate that portion of Walnut Street, located between Century Boulevard and Taft Street, to remove the underutilized public right-of-way and thereby facilitate the future development of the area.

BACKGROUND

The portion of Walnut Street that will be vacated is located between Century Boulevard and Taft Street, as shown on the map in that attached resolution. The street vacation will facilitate the future development of this area by incorporating the street into the total developable land area of the redevelopment project site known as the Century Triangle.

Currently, no right-of-way access is provided on this portion of Walnut Street. The Garden Grove Traffic Commission approved the closure of this portion of the street on October 19, 2000, since the parcels that were served by this portion of Walnut Street were owned by the Garden Grove Agency for Community Development and did not require right-of-way access to the street.

On January 21, 2010, the Planning Commission determined that the proposed street vacation conformed with the City's adopted General Plan pursuant to Government Code Section 65402.

DISCUSSION

The General Plan Land Use designations for the properties located adjacent to this portion of Walnut Street are Residential/Commercial Mixed Use 1 and Civic/Institution. The Residential/Commercial Mixed Use 1 designation is intended to provide a mix of higher density residential and commercial uses, while the Civic/Institution is intended to provide educational uses, hospitals, and government facilities.

STREET VACATION NO. SV-118-10

March 9, 2010

Page 2

The City's redevelopment plan seeks to develop this area with residential condominiums, a use that is consistent with the General Plan and the zoning designation of the area. The vacated street will be incorporated into the total developable land area of the project site, which will be approximately 2.67 acres. A residential development in this area will help to further revitalize downtown Garden Grove.

Furthermore, this portion of Walnut Street has been closed since 2000, and the proposed vacation will not impact the existing vehicle or pedestrian circulation in the area. Therefore, the street vacation is in keeping with the spirit and intent of the Garden Grove General Plan and zoning code.

FISCAL IMPACT

No fiscal impact to the City.

RECOMMENDATION

Staff recommends that the City Council take the following action:

- Set a public hearing date in order to proceed with vacating that portion of Walnut Street, located between Century Boulevard and Taft Street, as identified under Street Vacation No. SV-118-10.



SUSAN EMERY  
Community Development Director



By: Maria Parra  
Urban Planner

Attachment 1: Planning Commission Staff Report dated January 21, 2010 with Resolution No. 5703, and Draft Minute Excerpt for General Plan Conformity

Attachment 2: Draft City Council Resolution for Street Vacation No. SV-118-10

Attachment 3: Radius Map for Street Vacation No. SV-118-10

Attachment 4: Exhibit "A" Street Vacation No. SV-118-10 legal description and plot plan

# COMMUNITY DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

<b>AGENDA ITEM NO.:</b> D.1.	<b>SITE LOCATION:</b> Walnut Street, between Century Boulevard and Taft Street.
<b>HEARING DATE:</b> January 21, 2010	<b>GENERAL PLAN OF ADJACENT PROPERTIES:</b> Residential/Commercial Mixed Use 1 and Civic/Institution
<b>CASE NO.:</b> General Plan Conformity for Street Vacation No. SV-118-10	<b>ZONING OF ADJACENT PROPERTIES:</b> Community Center Specific Plan – Peripheral Residential (CCSP-PR)
<b>APPLICANT AND OWNER:</b> City of Garden Grove	<b>APN:</b> N/A
	<b>CEQA DETERMINATION:</b> Exempt

## **REQUEST:**

The City of Garden Grove is requesting that the Garden Grove Planning Commission make the determination that the vacation of a portion of Walnut Street right-of-way, located between Century Boulevard and Taft Street, is consistent with the City's adopted General Plan.

## **BACKGROUND:**

The portion of Walnut Street that will be vacated in conjunction with Street Vacation No. SV-118-10 is located between Century Boulevard and Taft Street, as shown on Exhibit "B" as attached in Resolution No. 5703. The street vacation will facilitate the future development of this area by incorporating the street into the total developable land area of the redevelopment project site known as the Century Triangle.

Currently, no right-of-way access, including pedestrian and vehicular access, is provided on this portion of Walnut Street. The Garden Grove Traffic Commission approved the closure of this portion of the street on October 19, 2000 since the parcels that were served by this portion of Walnut Street were owned by the Garden Grove Agency for Community Development and did not require right-of-way access to the street.

## **DISCUSSION:**

Government Code Section 65402 states that prior to the City Council approving a Street Vacation, the Planning Commission must make a finding and report that the vacation is in conformity with the General Plan.

Walnut Street, between Century Boulevard and Taft Street

The General Plan Land Use designation for the properties located adjacent to this portion of Walnut Street are Residential/Commercial Mixed Use 1 and Civic/Institution. The Residential/Commercial Mixed Use 1 designation is intended to provide a mix of higher density residential and commercial uses, while the Civic/Institution is intended to provide educational uses, hospitals, and government facilities. The properties also have a zoning designation of Community Center Specific Plan-Peripheral Residential (CCSP-PR) that allows for multi-family dwelling units.

The City's redevelopment plan seeks to develop this area with residential condominiums, a use that is consistent with the General Plan and the zoning designation of the area. The vacated street will be incorporated into the total developable land area of the project site, which will be approximately 2.67 acres. A residential development in this area will help to further revitalize downtown Garden Grove.

Furthermore, this portion of Walnut Street has been closed since 2000, and the proposed vacation will not impact the existing vehicle or pedestrian circulation in the area. Therefore, the street vacation is in keeping with the spirit and intent of the Garden Grove General Plan.

**RECOMMENDATION:**

Staff recommends that the Planning Commission make the finding that the proposed vacation of a portion of Walnut Street, by the City of Garden Grove, is consistent with the City's adopted General Plan.



KARL HILL  
Planning Services Manager



By: Maria Parra  
Urban Planner

RESOLUTION NO. 5703

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE FINDING THAT THE VACATION OF A PORTION OF WALNUT STREET, LOCATED BETWEEN CENTURY BOULEVARD AND TAFT STREET FOR STREET VACATION NO. SV-118-10, IS IN CONFORMANCE WITH THE CITY'S ADOPTED GENERAL PLAN IN ACCORDANCE WITH GOVERNMENT CODE SECTION 65402.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on January 21, 2010 does hereby find that the proposed Street Vacation is in conformance with the City's adopted General Plan in accordance with Government Code Section 65402. The street is located between Century Boulevard and Taft Street, and is described in Exhibit "A" and shown on Exhibit "B".

BE IT FURTHER RESOLVED in the matter of the General Plan Conformity for Street Vacation No. SV-118-10, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The case was initiated by the City of Garden Grove.
2. The City of Garden Grove proposes to vacate a portion of the Walnut Street right-of-way, located between Century Boulevard and Taft Street, to remove the underutilized public right-of-way and thereby facilitate the future development of the area. Government Code Section 65402 requires that the Planning Commission determine if the proposed street vacation conforms to the City's adopted General Plan.
3. Existing land use, zoning, and General Plan designation of properties in the vicinity of the subject street vacation have been reviewed.
4. Report submitted by City staff was reviewed.
5. The Planning Commission gave due and careful consideration to the matter during its meeting of January 21, 2010; and

BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Planning Commission are as follows:

FACTS:

The portion of Walnut Street that will be vacated is located between Century Boulevard and Taft Street, as shown on Exhibit "B". The street vacation will facilitate the future development of this area by incorporating the street into the total developable land area of the redevelopment project area known as the Century Triangle.

Currently, no right-of-way access, including pedestrian and vehicular access, is provided on this portion of Walnut Street. The Garden Grove Traffic Commission approved the closure of this portion of the street on October 19, 2000 since the parcels that were served by this portion of Walnut Street were owned by the Garden Grove Agency for Community Development and did not require right-of-way access to the street.

FINDINGS AND REASONS:

The properties that abut this portion of Walnut Street have a General Plan Land Use designation of Residential/Commercial Mixed Use 1 and Civic/Institution. The Residential/Commercial Mixed Use 1 designation is intended to provide a mix of higher density residential and commercial uses, while the Civic/Institution is intended to provide educational uses, hospitals and government facilities. The properties also have a zoning designation of Community Center Specific Plan-Peripheral Residential (CCSP-PR) that allows for multi-family residential units.

The City's redevelopment plan seeks to develop this area with residential condominiums, a use that is consistent with the goals of the General Plan and the zoning designation of the area. The vacated street will be incorporated into the total developable land area of the redevelopment project site known as the Century Triangle, which will be approximately 2.67 acres.

Furthermore, this portion of Walnut Street has been closed since 2000; and the proposed vacation will not impact the existing vehicle or pedestrian circulation in the area. Therefore, the street vacation is in keeping with the spirit and intent of the Garden Grove General Plan that allows for residential uses in the area.

INCORPORATION OF FACTS AND FINDINGS SET FORTH IN STAFF REPORT

In addition to the foregoing, the Planning Commission incorporates herein by this reference, the facts and findings set forth in the staff report.

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

The location, purpose, and extent of the vacation of a portion of Walnut Street, located between Century Boulevard and Taft Street, is in conformance with the City's adopted General Plan in accordance with Government Code Section 65402.



ADOPTED this 21st day of January, 2010

/s/ KRIS BEARD  
CHAIR

I HEREBY CERTIFY that the foregoing resolution was duly adopted at the regular meeting of the Planning Commission of the City of Garden Grove, State of California, held on January 21, 2010, by the following votes:

AYES:	COMMISSIONERS:	BEARD, BONIKOWSKI, BUI, TRAN
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	CABRAL, ELLSWORTH
VACANCY:	COMMISSIONERS:	ONE

/s/ JUDITH MOORE  
SECRETARY

PLEASE NOTE: Any request for court review of this decision must be filed within 90 days of the date this decision was final (See Code of Civil Procedure Section 1094.6).

A decision becomes final if it is not timely appealed to the City Council. Appeal deadline is February 11, 2010.

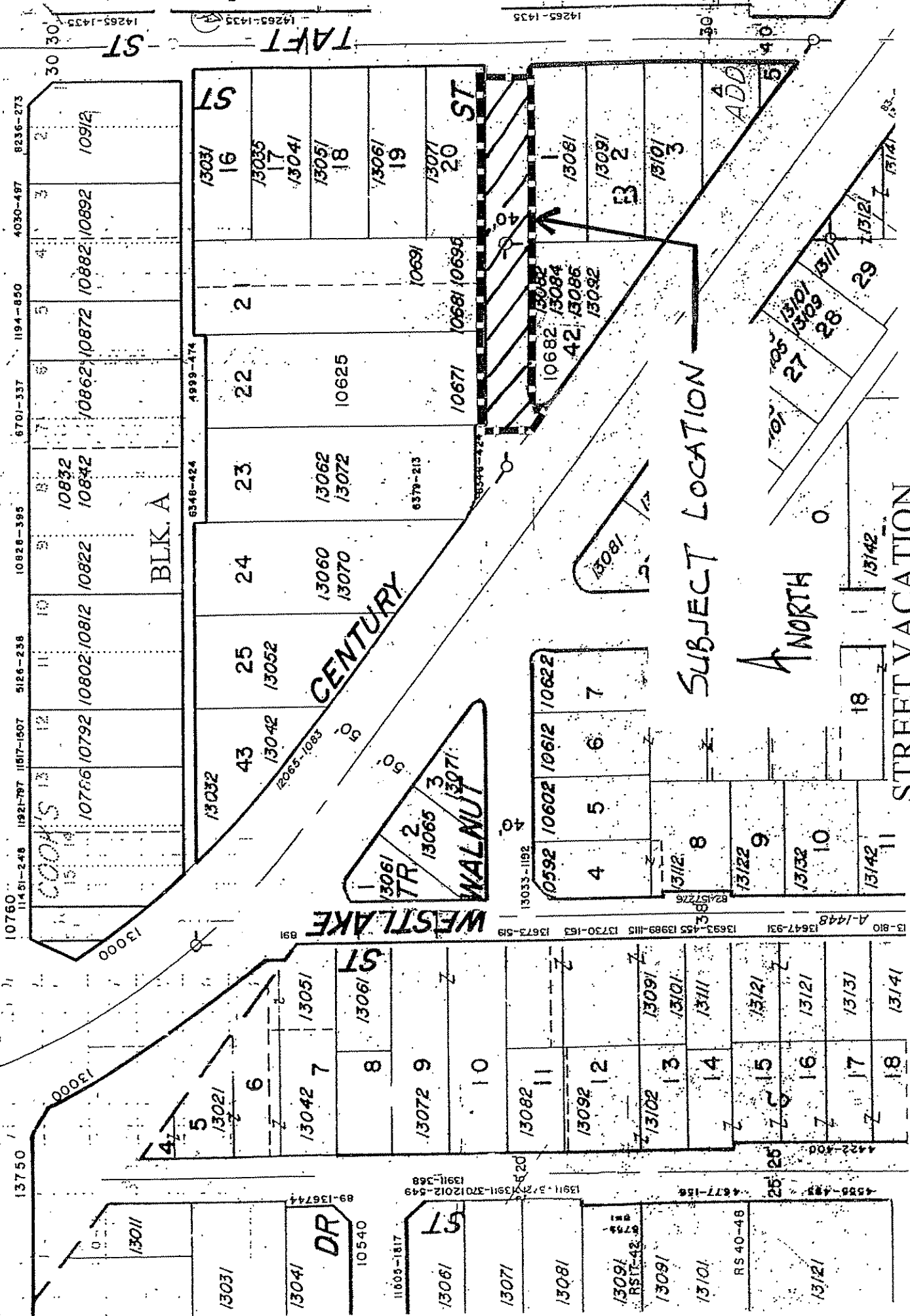
## Exhibit "A"

### LEGAL DESCRIPTION OF A PORTION OF WALNUT STREET TO BE USED IN RESOLUTION OF INTENTION

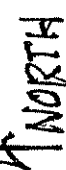
THAT PORTION OF WALNUT STREET 40.00 FEET WIDE, AS SHOWN AND DEDICATED ON MAP OF COOKS ADDITION TO GARDEN GROVE, IN THE CITY OF GARDEN GROVE, COUNTY OF ORANGE, STATE OF CALIFORNIA, RECORDED IN BOOK 8, PAGE 9 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY AND AS SHOWN AND DEDICATED ON THE MAP OF TRACT NO. 645, IN THE CITY OF GARDEN GROVE, COUNTY OF ORANGE, STATE OF CALIFORNIA RECORDED IN BOOK 25, PAGE 11 OF MISCELLANEOUS MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY WHICH EXTENDS EASTERLY FROM THE INTERSECTION OF THE SOUTHERLY PROLONGATION OF THE WEST LINE OF LOT 22 IN BLOCK A OF SAID COOKS ADDITION TO GARDEN GROVE AND THE NORTHEASTERLY LINE OF CENTURY BOULEVARD 100.00 FEET WIDE DESCRIBED IN RIGHT-OF-WAY DEED TO THE COUNTY OF ORANGE, RECORDED AUGUST 13, 1926, IN BOOK 671, PAGE 21 OF DEEDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY TO A LINE PARALLEL WITH AND 10.00 FEET WESTERLY FROM THE SOUTHERLY PROLONGATION OF LOT 20 IN BLOCK A OF SAID COOKS ADDITION TO GARDEN GROVE.

THIS STREET VACATION IS IN COMPLIANCE WITH THE PROVISIONS SET FORTH IN SECTIONS 8340 AND 8341 OF THE STREETS AND HIGHWAYS CODE.

GARDEN GROVE BLVD



SUBJECT LOCATION



STREET VACATION  
WALNUT STREET

Exhibit B

DRAFT MINUTE EXCERPT

GARDEN GROVE PLANNING COMMISSION

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ITEM FOR  
CONSIDERATION: GENERAL PLAN CONFORMITY  
STREET VACATION NO. SV-118-10  
APPLICANT: CITY OF GARDEN GROVE  
LOCATION: WALNUT STREET, BETWEEN CENTURY BOULEVARD AND TAFT STREET  
DATE: JANUARY 21, 2010

REQUEST: Determination by the Planning Commission per Government Code 65402, for the requirement for the finding of General Plan consistency concerning the vacation of a portion of the Walnut Street right-of-way, located between Century Boulevard and Taft Avenue, to remove the underutilized public right-of-way and thereby facilitate the future development of the area.

Staff report was read and recommended approval.

Chair Beard agreed that the street vacation would be consistent with the adopted General Plan.

Commissioner Bonikowski asked staff to clarify if the auto body shop would be affected by the street vacation. Staff responded that the triangular portion of the street that abuts the property would remain as an access for the auto body shop.

Commissioner Bui moved to approve the General Plan Conformity for Street Vacation No. SV-118-10, seconded by Commissioner Bonikowski, pursuant to the facts and reasons contained in Resolution No. 5703. The motion carried with the following vote:

AYES:	COMMISSIONERS:	BEARD, BONIKOWSKI, BUI, TRAN
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	CABRAL, ELLSWORTH
VACANCY:	COMMISSIONERS:	ONE

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DECLARING ITS INTENTION TO PROCEED WITH STREET VACATION NO. SV-118-10 TO VACATE THAT PORTION OF WALNUT STREET, LOCATED BETWEEN CENTURY BOULEVARD AND TAFT STREET, AS IDENTIFIED IN EXHIBIT "A" ATTACHED, AND SCHEDULING A PUBLIC HEARING TO CONSIDER SAID STREET VACATION

THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DOES RESOLVE AS FOLLOWS:

WHEREAS, the City Council of the City of Garden Grove proposes to vacate that portion of Walnut Street, located between Century Boulevard and Taft Street, under the procedures established in Chapter 3, Section 8320, et. seq., of the Streets and Highways Code;

WHEREAS, the City of Garden Grove initiated the action to vacate the public right-of-way as described and shown in Exhibit "A" as attached;

WHEREAS, the proposed action is exempt from further environmental consideration due to the fact that the proposed street vacation is considered to be categorically exempt pursuant to the California Environmental Quality Act under Article 19, Section 15301, Existing Facilities. Therefore, no further environmental action is necessary;

WHEREAS, the Planning Commission on January 21, 2010, determined that the street vacation was in conformance with the adopted General Plan pursuant to Government Code Section 65402;

WHEREAS, a legal description and map specifically setting forth the proposed street vacation is on file in the Office of the City Clerk of Garden Grove; and

WHEREAS, it is necessary that certain legal requirements be met in connection with the posting and publishing of this Resolution.

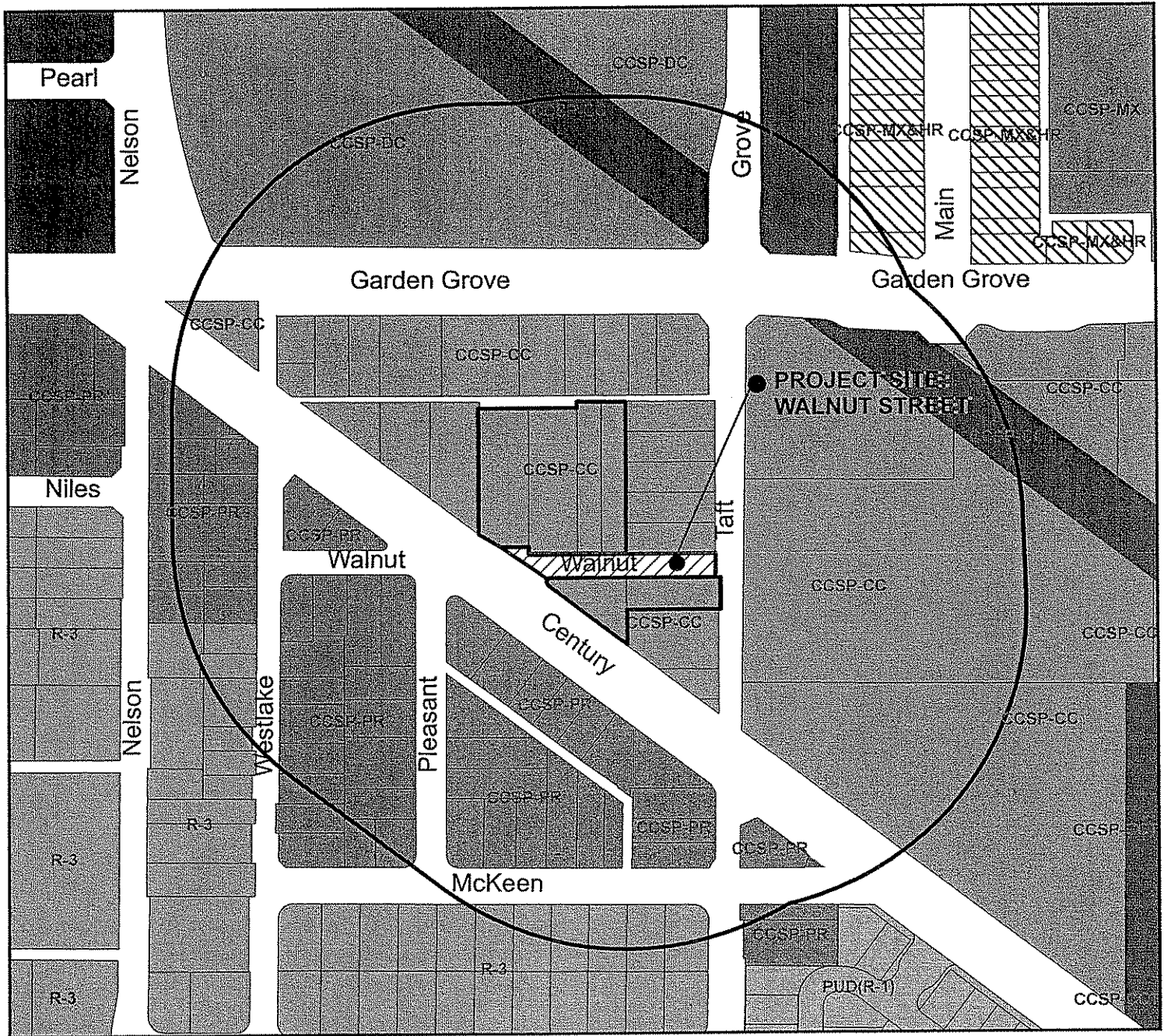
NOW, THEREFORE, BE IT RESOLVED that the City of Garden Grove City Council, on March 9, 2010, does hereby declare its intention to vacate that portion of Walnut Street, located between Century Boulevard and Taft Street.

BE IT FURTHER RESOLVED that the 13<sup>th</sup> day of April 2010, at six thirty in the evening, in the Council Chambers of the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California, are hereby fixed as the day, hour, and place when and where any and all persons interested in said vacation may appear and be heard.

BE IT FURTHER RESOLVED that the City Clerk shall publish this Resolution, together with the names of the City Council Members voting for and against the same, as prescribed by law.



# STREET VACATION NO. SV-118-10



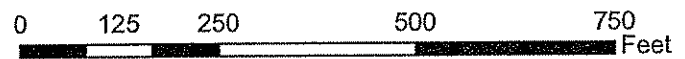
## LEGEND

 PROJECT SITE- WALNUT STREET

 500 FEET RADIUS

## NOTES

1. GENERAL PLAN: RESIDENTIAL/COMMERCIAL MIXED USE 1 CIVIC INSTITUTION
2. ZONE: CCSP-CC 43 & HR ( Community Center Specific Plan-Community Commercial 43)



CITY OF GARDEN GROVE  
COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING DIVISION  
GIS SYSTEM  
FEBRUARY 2010

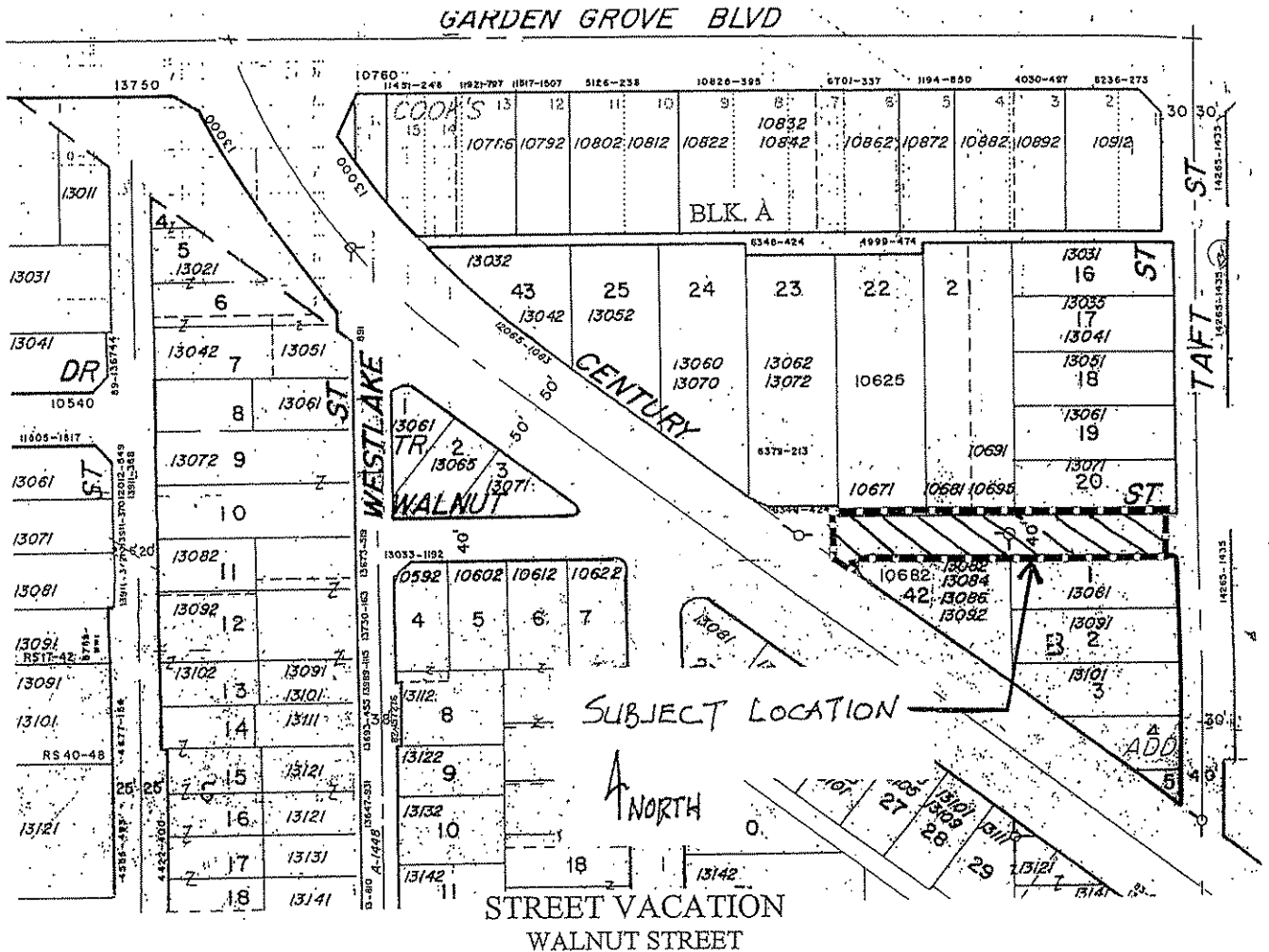
Exhibit "A"

RESOLUTION NO.

LEGAL DESCRIPTION OF A PORTION OF WALNUT STREET

THAT PORTION OF WALNUT STREET 40.00 FEET WIDE, AS SHOWN AND DEDICATED ON MAP OF COOKS ADDITION TO GARDEN GROVE, IN THE CITY OF GARDEN GROVE, COUNTY OF ORANGE, STATE OF CALIFORNIA, RECORDED IN BOOK 8, PAGE 9 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY AND AS SHOWN AND DEDICATED ON THE MAP OF TRACT NO. 645, IN THE CITY OF GARDEN GROVE, COUNTY OF ORANGE, STATE OF CALIFORNIA RECORDED IN BOOK 25, PAGE 11 OF MISCELLANEOUS MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY WHICH EXTENDS EASTERLY FROM THE INTERSECTION OF THE SOUTHERLY PROLONGATION OF THE WEST LINE OF LOT 22 IN BLOCK A OF SAID COOKS ADDITION TO GARDEN GROVE AND THE NORTHEASTERLY LINE OF CENTURY BOULEVARD 100.00 FEET WIDE DESCRIBED IN RIGHT-OF-WAY DEED TO THE COUNTY OF ORANGE, RECORDED AUGUST 13, 1926, IN BOOK 671, PAGE 21 OF DEEDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY TO A LINE PARALLEL WITH AND 10.00 FEET WESTERLY FROM THE SOUTHERLY PROLONGATION OF LOT 20 IN BLOCK A OF SAID COOKS ADDITION TO GARDEN GROVE.

THIS STREET VACATION IS IN COMPLIANCE WITH THE PROVISIONS SET FORTH IN SECTIONS 8340 AND 8341 OF THE STREETS AND HIGHWAYS CODE.







RESOLUTION NO. 8953-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DECLARING ITS INTENTION TO PROCEED WITH STREET VACATION NO. SV-118-10 TO VACATE THAT PORTION OF WALNUT STREET, LOCATED BETWEEN CENTURY BOULEVARD AND TAFT STREET, AS IDENTIFIED IN EXHIBIT "A" ATTACHED, AND SCHEDULING A PUBLIC HEARING TO CONSIDER SAID STREET VACATION

THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DOES RESOLVE AS FOLLOWS:

WHEREAS, the City Council of the City of Garden Grove proposes to vacate that portion of Walnut Street, located between Century Boulevard and Taft Street, under the procedures established in Chapter 3, Section 8320, et. seq., of the Streets and Highways Code;

WHEREAS, the City of Garden Grove initiated the action to vacate the public right-of-way as described and shown in Exhibit "A" as attached;

WHEREAS, the proposed action is exempt from further environmental consideration due to the fact that the proposed street vacation is considered to be categorically exempt pursuant to the California Environmental Quality Act under Article 19, Section 15301, Existing Facilities. Therefore, no further environmental action is necessary;

WHEREAS, the Planning Commission on January 21, 2010, determined that the street vacation was in conformance with the adopted General Plan pursuant to Government Code Section 65402;

WHEREAS, a legal description and map specifically setting forth the proposed street vacation is on file in the Office of the City Clerk of Garden Grove; and

WHEREAS, it is necessary that certain legal requirements be met in connection with the posting and publishing of this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the City of Garden Grove City Council, on March 9, 2010, does hereby declare its intention to vacate that portion of Walnut Street, located between Century Boulevard and Taft Street.

BE IT FURTHER RESOLVED that the 13<sup>th</sup> day of April 2010, at six thirty in the evening, in the Council Chambers of the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California, are hereby fixed as the day, hour, and place when and where any and all persons interested in said vacation may appear and be heard.

BE IT FURTHER RESOLVED that the City Clerk shall publish this Resolution, together with the names of the City Council Members voting for and against the same, as prescribed by law.

Adopted this 9<sup>th</sup> day of March 2010.

ATTEST:

/s/ WILLIAM J. DALTON  
MAYOR

/s/ KATHLEEN BAILOR  
CITY CLERK

STATE OF CALIFORNIA    )  
COUNTY OF ORANGE    ) SS:  
CITY OF GARDEN GROVE )

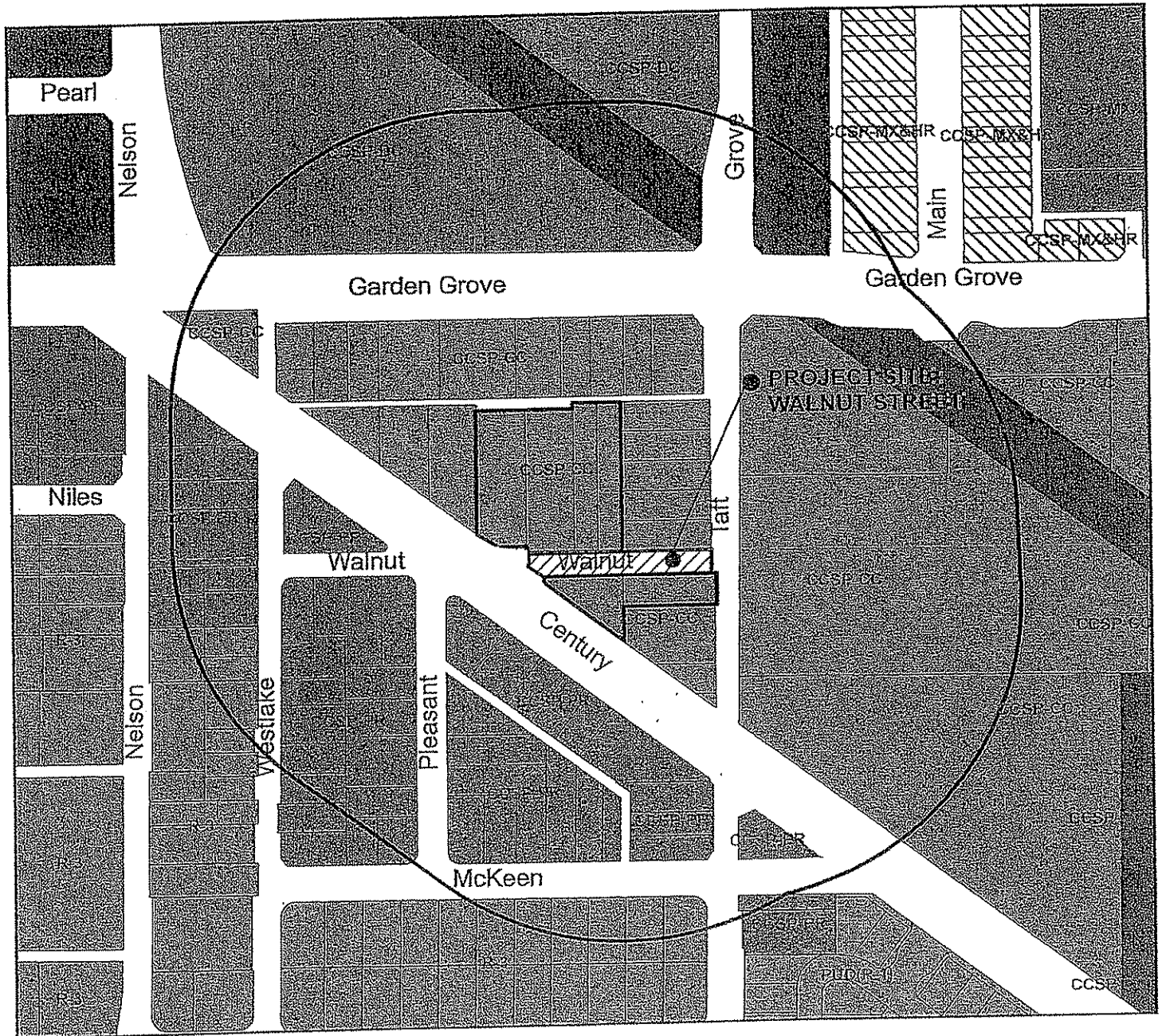
I, KATHLEEN BAILOR, City Clerk of the City of Garden Grove, do hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Garden Grove, California, at a meeting held on the 9<sup>th</sup> day of March 2010, by the following vote:

AYES:    COUNCIL MEMBERS:   (3) BROADWATER, NGUYEN, DALTON  
NOES:    COUNCIL MEMBERS:   (0) NONE  
ABSENT: COUNCIL MEMBERS:   (2) DO, JONES

/s/ KATHLEEN BAILOR  
CITY CLERK


# STREET VACATION NO. SV-118-10

**GARDEN GROVE**



**LEGEND**

 PROJECT SITE- WALNUT STREET

 500 FEET RADIUS

**NOTES**

1. GENERAL PLAN: RESIDENTIAL/COMMERCIAL MIXED USE 1 CIVIC INSTITUTION
2. ZONE: CCSP-CC 43 & HR ( Community Center Specific Plan-Community Commercial 43)

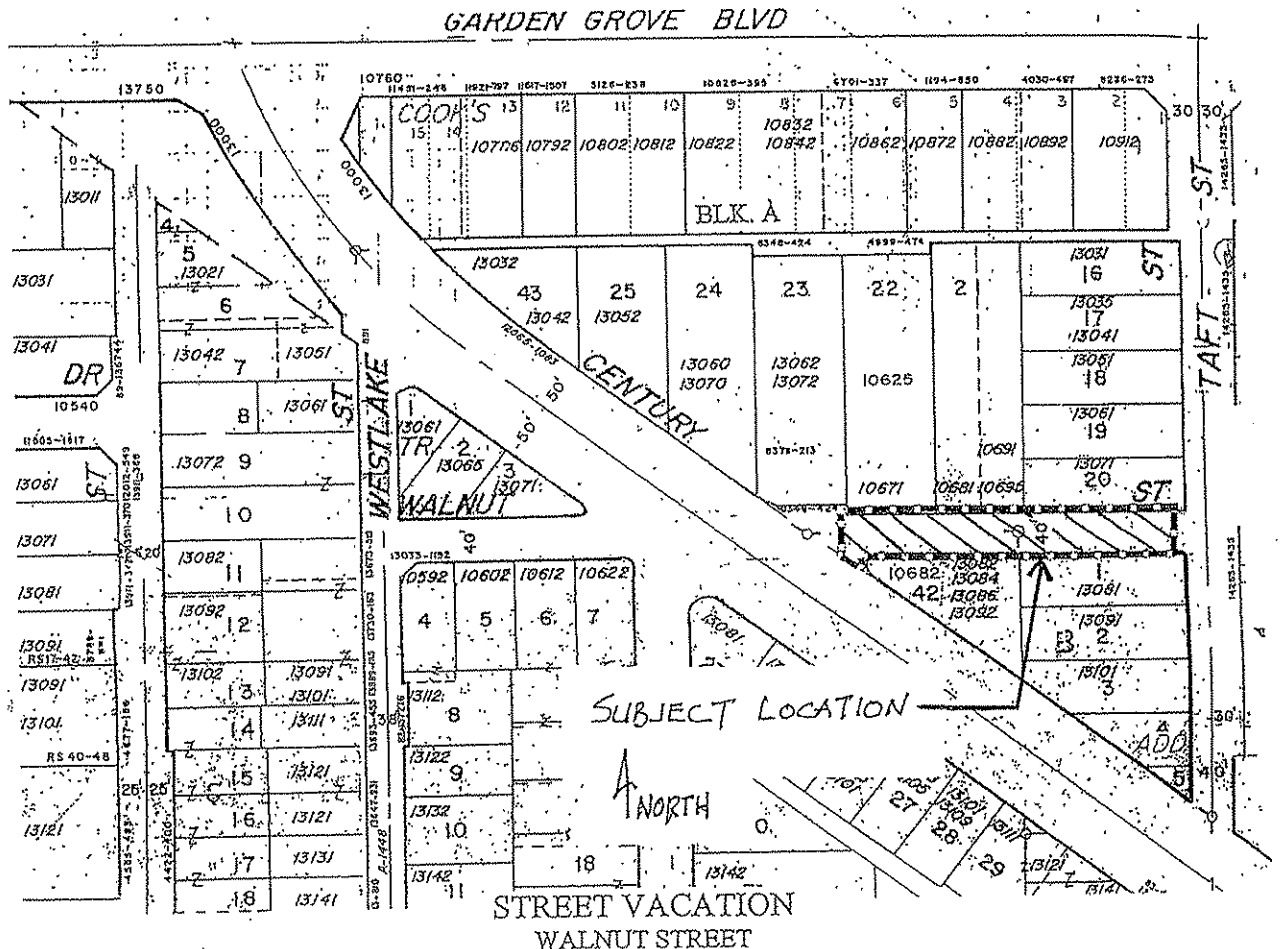


**CITY OF GARDEN GROVE  
 COMMUNITY DEVELOPMENT DEPARTMENT  
 PLANNING DIVISION  
 GIS SYSTEM  
 FEBRUARY 2010**

LEGAL DESCRIPTION OF A PORTION OF WALNUT STREET

THAT PORTION OF WALNUT STREET 40.00 FEET WIDE, AS SHOWN AND DEDICATED ON MAP OF COOKS ADDITION TO GARDEN GROVE, IN THE CITY OF GARDEN GROVE, COUNTY OF ORANGE, STATE OF CALIFORNIA, RECORDED IN BOOK 8, PAGE 9 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY AND AS SHOWN AND DEDICATED ON THE MAP OF TRACT NO. 645, IN THE CITY OF GARDEN GROVE, COUNTY OF ORANGE, STATE OF CALIFORNIA RECORDED IN BOOK 25, PAGE 11 OF MISCELLANEOUS MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY WHICH EXTENDS EASTERLY FROM THE INTERSECTION OF THE SOUTHERLY PROLONGATION OF THE WEST LINE OF LOT 22 IN BLOCK A OF SAID COOKS ADDITION TO GARDEN GROVE AND THE NORTHEASTERLY LINE OF CENTURY BOULEVARD 100.00 FEET WIDE DESCRIBED IN RIGHT-OF-WAY DEED TO THE COUNTY OF ORANGE, RECORDED AUGUST 13, 1926, IN BOOK 671, PAGE 21 OF DEEDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY TO A LINE PARALLEL WITH AND 10.00 FEET WESTERLY FROM THE SOUTHERLY PROLONGATION OF LOT 20 IN BLOCK A OF SAID COOKS ADDITION TO GARDEN GROVE.

THIS STREET VACATION IS IN COMPLIANCE WITH THE PROVISIONS SET FORTH IN SECTIONS 8340 AND 8341 OF THE STREETS AND HIGHWAYS CODE.



RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING STREET VACATION NO. SV-118-10 TO VACATE THAT PORTION OF WALNUT STREET, LOCATED BETWEEN CENTURY BOULEVARD AND TAFT STREET, AS IDENTIFIED IN EXHIBIT "A" ATTACHED

THE CITY COUNCIL OF THE CITY OF GARDEN GROVE FINDS AND DETERMINES AS FOLLOWS:

WHEREAS, the City Council of Garden Grove proposes to vacate that portion of Walnut Street, located between Century Boulevard and Taft Street, under the procedures established in Chapter 3, Section 8320, et. seq., of the Streets and Highways Code;

WHEREAS, on April 13, 2010, the City Council determined that the Street Vacation was exempt from further environmental consideration due to the fact that the proposed Street Vacation is considered to be categorically exempt pursuant to the California Environmental Quality Act under Article 19, Section 15301, Existing Facilities. Therefore, no further environmental action is necessary;

WHEREAS, the Planning Commission on January 21, 2010 determined that the Street Vacation was in conformance with the adopted General Plan pursuant to Government Code Section 65402;

WHEREAS, a legal description and map specifically setting forth the proposed Street Vacation is on file in the Office of the City Clerk of Garden Grove;

WHEREAS, on March 9, 2010, the City Council adopted Resolution No. 8953-10, a Resolution of Intent informing interested persons as to the date, time, and location for the hearing to vacate portion of said Walnut Street on April 13, 2010;

WHEREAS, the Community Development Department, on behalf of the City Clerk's Office, posted the Resolution of Intention conspicuously on Walnut Street, on the perimeter fencing located on the east end of the street, and on the perimeter guardrail located on the west end of the street, on March 30, 2010. Copies of the Resolution of Intention were posted no more than three hundred feet apart, and no less than three were posted;

WHEREAS, pursuant to this notice, a Public Hearing was held by the City Council on April 13, 2010, and all interested persons were given the opportunity to be heard; and

WHEREAS, the City Council gave due and careful consideration to this matter.

NOW, THEREFORE, BE IT RESOLVED:

That the portion of the street to be vacated is unnecessary for present or prospective public use in accordance with the Streets and Highways Code Section 8332, et, seq., and that Street Vacation No. SV-118-10 is hereby approved pursuant to the facts and reasons set forth herein;

BE IT FURTHER RESOLVED, FOUND, AND DETERMINED, that the facts and reasons supporting the conclusion of the City Council are as follows:

FACTS:

The Street Vacation will facilitate the future development of this area by incorporating the street into the total developable land area of the redevelopment project site known as the Century Triangle.

The City's redevelopment plan seeks to develop this area with residential condominiums, a use that is consistent the General Plan and the zoning designation, and that will help to revitalize the area.

Currently, no right-of-way access is provided on this portion of Walnut Street. On October 19, 2000, the Garden Grove Traffic Commission approved the closure of this portion of the street as the parcels that were served by this portion of Walnut Street were owned by the Garden Grove Agency for Community Development, and did not require right-of-way access.

On January 21, 2010, the Planning Commission determined that the proposed Street Vacation conformed with the City's adopted General Plan pursuant to Government Code Section 65402.

FINDINGS AND REASONS:

1. Through proper review and notifications of the Street Vacation, the proposed action complies with the spirit and intent of the provisions, and conditions of the State of California Streets and Highways Code Section 8320 et. seq.
2. The proposed action is justified in that it is consistent with the Garden Grove General Plan, Municipal Code, and Title 9 Zoning Code.
3. Through the proper review and determination, the requirements of the California Environmental Quality Act have been satisfied.
4. The proposed action to vacate that portion of the street will facilitate the redevelopment of this area with a residential development.

5. The right-of-way has been closed to public access since 2000. The street is unnecessary for the present or prospective public use as the street does not serve any of the surrounding area for both vehicle or pedestrian circulation.

INCORPORATION OF FACTS AND REASONS SET FORTH IN THE STAFF REPORT

In addition to the foregoing, the City Council incorporates herein by this reference, the facts and reasons set forth in the staff report.

BE IT FURTHER RESOLVED that the City Council does conclude:

The proposed Street Vacation possesses characteristics that would indicate justification of the request for adoption in accordance with the California State of California Streets and Highways Code Section 8320 et. seq., the Circulation Element of the Garden Grove General Plan, and the Garden Grove Municipal Code.





Exhibit "A"

LEGAL DESCRIPTION OF A PORTION OF WALNUT STREET

THAT PORTION OF WALNUT STREET 40.00 FEET WIDE, AS SHOWN AND DEDICATED ON MAP OF COOKS ADDITION TO GARDEN GROVE, IN THE CITY OF GARDEN GROVE, COUNTY OF ORANGE, STATE OF CALIFORNIA, RECORDED IN BOOK 8, PAGE 9 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY AND AS SHOWN AND DEDICATED ON THE MAP OF TRACT NO. 645, IN THE CITY OF GARDEN GROVE, COUNTY OF ORANGE, STATE OF CALIFORNIA RECORDED IN BOOK 25, PAGE 11 OF MISCELLANEOUS MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY WHICH EXTENDS EASTERLY FROM THE INTERSECTION OF THE SOUTHERLY PROLONGATION OF THE WEST LINE OF LOT 22 IN BLOCK A OF SAID COOKS ADDITION TO GARDEN GROVE AND THE NORTHEASTERLY LINE OF CENTURY BOULEVARD 100.00 FEET WIDE DESCRIBED IN RIGHT-OF-WAY DEED TO THE COUNTY OF ORANGE, RECORDED AUGUST 13, 1926, IN BOOK 671, PAGE 21 OF DEEDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY TO A LINE PARALLEL WITH AND 10.00 FEET WESTERLY FROM THE SOUTHERLY PROLONGATION OF LOT 20 IN BLOCK A OF SAID COOKS ADDITION TO GARDEN GROVE.

THIS STREET VACATION IS IN COMPLIANCE WITH THE PROVISIONS SET FORTH IN SECTIONS 8340 AND 8341 OF THE STREETS AND HIGHWAYS CODE.

