

The City recently approved entitlements for a water park hotel facility that are consistent with the City's General Plan and zoning designation of the area. The vacated service road will be incorporated into the total developable land area of the project site, which will be approximately 12.1 acres.

The subject service road only serves the properties that are encompassed by the water park hotel facility. After vacation of the service road, both pedestrian and vehicular access to the proposed water park hotel facility, and the surrounding area, will remain and therefore, will not impact the existing vehicle or pedestrian circulation in the area. Furthermore, the street vacation is in keeping with the spirit and intent of the Garden Grove General Plan.

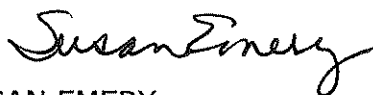
FISCAL IMPACT

No fiscal impact to the City.

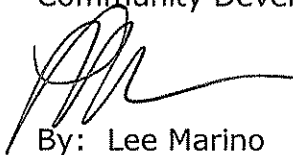
RECOMMENDATION

Staff recommends that the City Council take the following action:

- Set a public hearing date in order to proceed with vacating the Harbor Boulevard service road, located on the west side of Harbor Boulevard, north of Garden Grove Boulevard, south of Lampson Avenue, as identified under Street Vacation No. SV-119-11.



SUSAN EMERY
Community Development Director



By: Lee Marino
Senior Planner

Recommended for Approval



Matthew Fertal
City Manager

- Attachment 1: Planning Commission Staff Report dated April 7, 2011 with Resolution No. 5736-11, and Draft Minute Excerpt for General Plan Conformity
- Attachment 2: Draft City Council Resolution for Street Vacation No. SV-119-11
- Attachment 3: Radius Map for Street Vacation No. SV-119-11
- Attachment 4: Exhibit "A" Street Vacation No. SV-119-11 legal description and plot plan.

COMMUNITY DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: D.2.	SITE LOCATION: Harbor Boulevard service road located on the west side of Harbor Boulevard, north of Garden Grove Boulevard, south of Lampson Avenue.
HEARING DATE: April 7, 2011	GENERAL PLAN OF ADJACENT PROPERTIES: International West Mixed Use
CASE NO.: General Plan Conformity for Street Vacation No. SV-119-11	ZONING OF ADJACENT PROPERTIES: Planned Unit Development No. PUD-126-10
APPLICANT AND OWNER: City of Garden Grove	APN: N/A
	CEQA DETERMINATION: Exempt

REQUEST:

The City of Garden Grove is requesting that the Garden Grove Planning Commission make the determination that the vacation of the Harbor Boulevard service road, located on the west side of Harbor Boulevard, north of Garden Grove Boulevard and south of Lampson Avenue, is consistent with the City's adopted General Plan.

BACKGROUND:

The Harbor Boulevard service road that will be vacated in conjunction with Street Vacation No. SV-119-11 is located on the west side of Harbor Boulevard, north of Garden Grove Boulevard and south of Lampson Avenue, as shown on Exhibit "B" as attached in Resolution No. 5736-11. The vacation of the service road will facilitate the future development of the previously approved water park hotel facility that is proposed for the adjacent properties, by incorporating the service road into the total developable land area for the project.

Currently, the frontage road only provides pedestrian and vehicular access to the properties that are encompassed within the water park hotel project boundaries. No other properties gain access to subject service road.

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.

Harbor Boulevard service road, located on the west side of Harbor Boulevard, north of Garden Grove Boulevard, south of Lampson Avenue.

The General Plan Land Use designation for the properties located adjacent to Harbor Boulevard frontage road are International West Mixed Use and the zoning of the properties are Planned Unit Development No. PUD-126-10. The International West Mixed Use land use designation encourages the development of hotels, resort, and tourist-based entertainment-related uses. Furthermore, the properties zoning designation allows for the development of a water park hotel.

The City recently approved entitlements for a water park hotel facility that is consistent with the City's General Plan and zoning designation of the area. The vacated service road will be incorporated into the total developable land area of the project site, which will be approximately 12.1 acres.

The subject service road only serves the properties that are encompassed by the water park hotel facility. After vacation of the service road, both pedestrian and vehicular access to the proposed water park hotel facility and the surrounding area will remain and therefore, will not impact the existing vehicle or pedestrian circulation in the area. Furthermore, 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 the Harbor Boulevard service road, located on the west side of Harbor Boulevard, north of Garden Grove Boulevard and south of Lampson Avenue, by the City of Garden Grove, is consistent with the City's adopted General Plan.



KARL HILL
Planning Services Manager



By: Lee Marino
Senior Planner

RESOLUTION NO. 5736-11

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE FINDING THAT THE VACATION OF THE HAROBR BOULEVARD SERVICE ROAD, LOCATED ON THE WEST SIDE OF HARBOR BOULEVARD, NORTH OF GARDEN GROVE BOULEVARD AND SOUTH OF LAMPSON FOR STREET VACATION NO. SV-119-11, 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 April 7, 2011 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 Harbor Boulevard service road is located on the west side of Harbor Boulevard, north of Garden Grove Boulevard and south of Lampson Avenue, 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-119-11, 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 the Harbor Boulevard service road that is located on the west side of Harbor Boulevard, north of Garden Grove Boulevard and south of Lampson Avenue, 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. The property has an existing General Plan Land Use designation of International West Mixed Use and is zoned Planned Unit Development No. PUD-126-10. The site is currently the Harbor Boulevard service road that provides access to properties that are slated for the development of a water park hotel facility.
4. Existing land use, zoning, and General Plan designation of properties in the vicinity of the subject Street Vacation have been reviewed.
5. Report submitted by City staff was reviewed.
6. The Planning Commission gave due and careful consideration to the matter during its meeting of April 7, 2011; 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 Harbor Boulevard service road that will be vacated is located on the west side of Harbor Boulevard, north of Garden Grove Boulevard and south of Lampson Avenue, as shown on Exhibit "B". The Street Vacation will facilitate the future development of this area by incorporating the service road into the total developable land area of the previously approved water park hotel project.

Currently, the frontage road only provides pedestrian and vehicular access to the properties that are encompassed within the water park hotel project boundaries. No other properties gain access to subject service road.

FINDINGS AND REASONS:

The properties that abut this portion of Harbor Boulevard service road have a General Plan Land Use designation of International West Mixed Use. The International West Mixed Use designation encourages the development of hotels, resort, and tourist-based entertainment-related uses. The properties also have a zoning designation of Planned Unit Development No. PUD-126-10 that allows for the development of the water park hotel facility that was previously approved for the properties.

The City recently approved entitlements for a water park hotel facility that is consistent with the City's General Plan and zoning designation of the area. The vacated service road will be incorporated into the total developable land area of the project site, which will be approximately 12.1 acres.

The subject service road only serves the properties that are encompassed by the water park hotel facility. After vacation of the service road, both pedestrian and vehicular access to the proposed water park hotel facility and the surrounding area will remain and therefore, will not impact the existing vehicle or pedestrian circulation in the area. Furthermore, the street vacation is in keeping with the spirit and intent of the Garden Grove General Plan.

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 the Harbor Boulevard service road that is located on the west side of Harbor Boulevard, north of Garden Grove Boulevard and south of Lampson Avenue, is in conformance with the City's adopted General Plan in accordance with Government Code Section 65402.

ADOPTED this 7th day of April, 2011

/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 April 7, 2011, by the following votes:

AYES:	COMMISSIONERS:	BEARD, BRIETIGAM, BUI, CABRAL, DOVINH, ELLSWORTH, PAK
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	NONE

/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 April 28, 2011.

DRAFT MINUTE EXCERPT

GARDEN GROVE PLANNING COMMISSION

ITEM FOR

CONSIDERATION: GENERAL PLAN CONFORMITY

STREET VACATION NO. SV-119-11

APPLICANT: CITY OF GARDEN GROVE

LOCATION: WEST SIDE OF HARBOR BOULEVARD, NORTH OF GARDEN GROVE
BOULEVARD, SOUTH OF LAMPSON AVENUE

DATE: APRIL 7, 2011

REQUEST: To vacate the Harbor Boulevard service road, located on the west side of Harbor Boulevard, north of Garden Grove Boulevard, and south of Lampson Avenue, to facilitate the development of a previously approved water park hotel facility, along with a request for the Planning Commission to make the determination that the subject street vacation is consistent with the City's General Plan.

Staff report was read and recommended approval.

Commissioner Pak asked Staff if the pedestrian walking space would remain on Harbor Boulevard.

Staff responded that when the service road is removed, the property line would be moved forward, and the sidewalk would then align in front of the hotel.

Commissioner Brietigam moved to approve the General Plan Conformity for Street Vacation No. SV-119-11, seconded by Commissioner Pak, pursuant to the facts and reasons contained in Resolution No. 5736-11. The motion carried with the following vote:

AYES: COMMISSIONERS: BEARD, BRIETIGAM, BUI, CABRAL, DOVINH,
ELLSWORTH, PAK

NOES: COMMISSIONERS: NONE

ABSENT: COMMISSIONERS: NONE

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE
DECLARING ITS INTENTION TO PROCEED WITH STREET VACATION NO. SV-119-11
TO VACATE AND ABANDON THE HARBOR BOULEVARD SERVICE ROAD, LOCATED ON
THE WEST SIDE OF HARBOR BOULEVARD, NORTH OF GARDEN GROVE BOULEVARD
AND SOUTH OF LAMPSON, AND FIXING THE TIME AND PLACE OF A PUBLIC HEARING
THEREON

WHEREAS, the City Council of the City of Garden Grove proposes to vacate the Harbor Boulevard service road that is located on the west side of Harbor Boulevard, north of Garden Grove Boulevard and south of Lampson Avenue;

WHEREAS, the City of Garden Grove initiated the action to vacate and abandon the public right-of-way as described and depicted on Exhibits "A" and "B" attached hereto; and

WHEREAS, the Garden Grove Planning Commission, at its April 7, 2011, meeting determined that the proposed street vacation and abandonment was in conformance with the City's adopted General Plan pursuant to Government Code Section 65402.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DOES FIND, DETERMINE, AND RESOLVE AS FOLLOWS:

1. It is the intention of the City Council to vacate and abandon the Harbor Boulevard service road located on the west side of Harbor Boulevard, north of Garden Grove Boulevard and south of Lampson Avenue, as more particularly described and depicted on Exhibits "A" and "B" attached hereto and incorporated herein by reference. Available for public review and inspection.
2. It is the intention of the City Council to make a finding that the Harbor Boulevard service road located on the west side of Harbor Boulevard, north of Garden Grove Boulevard and south of Lampson Avenue, is unnecessary for present or prospective public street purposes, or as a non-motorized transportation facility.
3. It is the intention of the City Council to reserve easements per Section 8340 of the Streets and Highways Code.
4. It is the intention of the City Council to find that the proposed street vacation and abandonment is exempt from the California Environmental Quality Act ("CEQA") (California Public Resources Code Section 21000 et seq.), pursuant to Section 15061(b)(3) and Section 15301 of the State CEQA Guidelines (14 Cal. Code Regs §15000 et seq.).

5. It is the intention of the City Council to find that the proposed street vacation and abandonment is in conformity with the City's General Plan pursuant to Government Code Section 65402.

6. A Public Hearing is hereby set for June 28, 2011, at 6:30 p.m., in the Council Chamber of the Community Meeting Center, located at 11300 Stanford Avenue, Garden Grove, California, for a hearing of all persons interested in, or objecting to, the proposed street vacation and abandonment.

7. Notice of the Public Hearing shall be published and posted in accordance with the requirements of the Street and Highways Code Sections 8320, et seq.

8. The City elects to proceed under the provisions Chapter 2, Part 3, Division 9 (Section 8320, et. seq.) of the California Streets and Highways Code.

EXHIBIT "A"
LEGAL DESCRIPTION
CITY OF GARDEN GROVE
STREET VACATION

THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 10 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF GARDEN GROVE, COUNTY OF ORANGE, STATE OF CALIFORNIA AND AS SHOWN ON A MAP RECORDED IN BOOK 51, PAGE 8 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

THE WEST 35 FEET OF RESOLUTION RECORDED MARCH 29, 1955 IN BOOK 3013, PAGE 205, BOUNDED ON THE NORTH BY THE SOUTH LINE OF RESOLUTION NO. 994 RECORDED NOVEMBER 9, 1959 IN BOOK 4965, PAGE 241, BOUNDED ON THE EAST BY THE EAST LINE OF THE WEST 35 FEET OF SAID RESOLUTION RECORDED MARCH 29, 1955 IN BOOK 3013, PAGE 205, BOUNDED ON THE SOUTH BY THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION AND BOUNDED ON THE WEST BY THE WEST LINE OF SAID RESOLUTION RECORDED MARCH 29, 1955 IN BOOK 3013, PAGE 205, ALL OF OFFICIAL RECORDS.

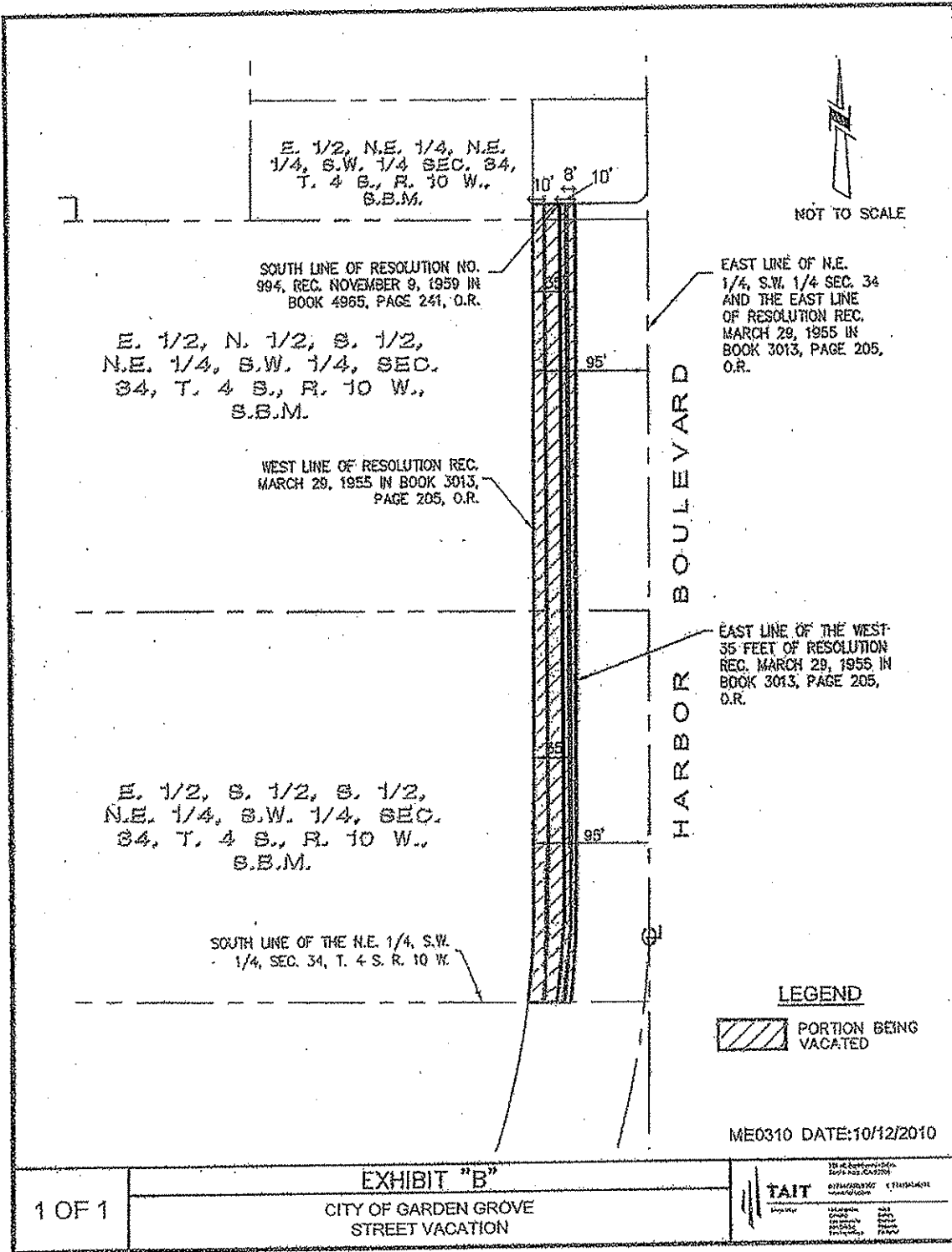
CONTAINS APPROXIMATELY 23,560 SQUARE FEET.

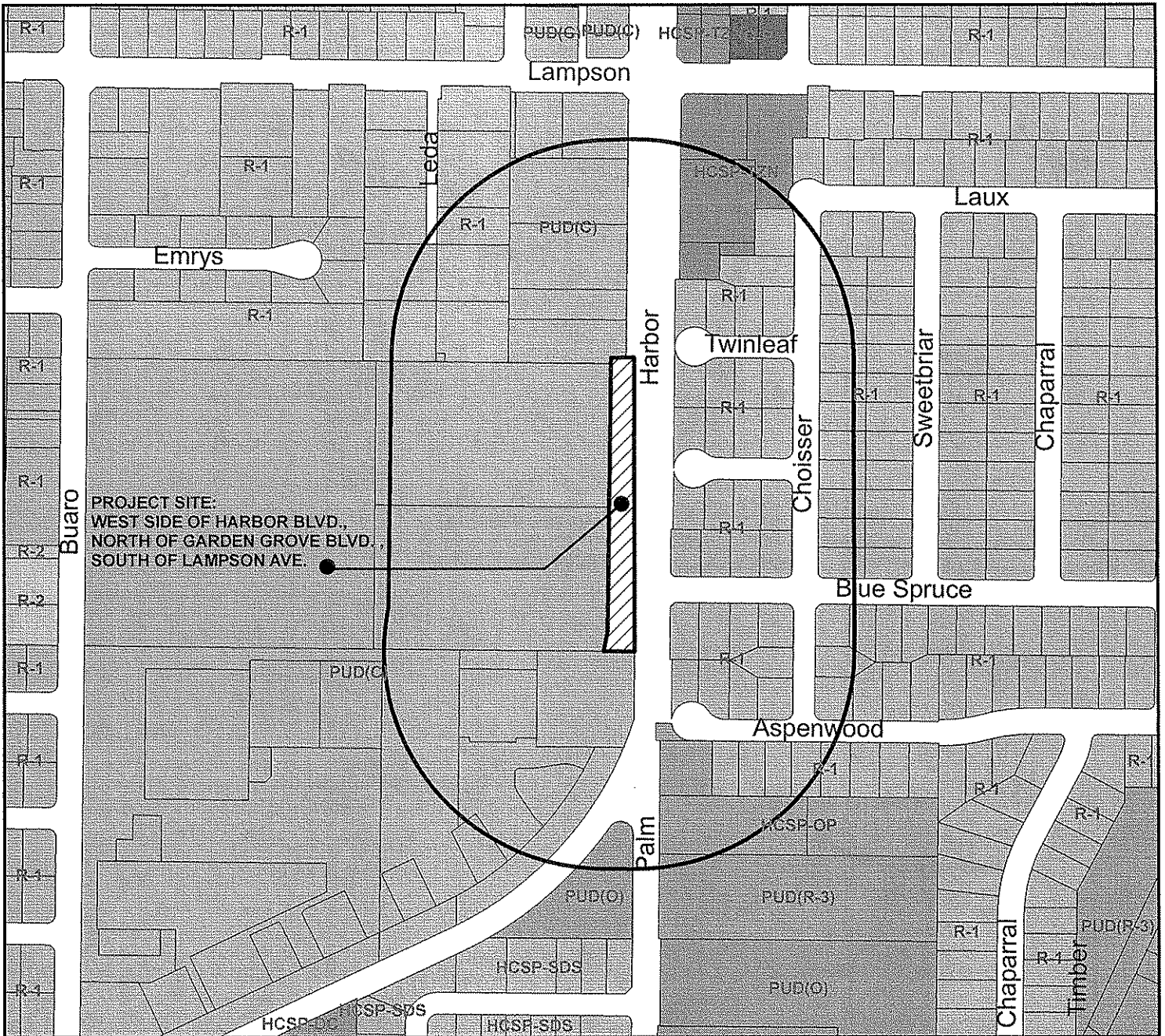
EXCEPTING AND RESERVING UNTO THE SOUTHERN CALIFORNIA EDISON COMPANY AN EASEMENT FOR THE CONVEYANCE AND DISTRIBUTION OF ELECTRIC ENERGY AND APPURTENCES OVER THE WEST 10.00 FEET OF THAT PORTION OF HARBOR BOULEVARD HEREIN VACATED.

ALSO EXCEPTING AND RESERVING UNTO THE CITY OF GARDEN GROVE AN EASEMENT FOR WATERLINES AND APPURTENCES OVER THE EAST 8.00 FEET OF THAT PORTION OF HARBOR BOULEVARD HEREIN VACATED.

ALSO EXCEPTING AND RESERVING UNTO THE SOUTHERN CALIFORNIA GAS COMPANY AN EASEMENT FOR GAS PIPELINES, CONDUITS AND APPURTANCES OVER THE EAST 10.00 FEET OF THAT PORTION OF HARBOR BOULEVARD HEREIN VACATED.


THE EXCEPTIONS AND RESERVATION HEREIN SET FORTH ARE IN COMPLIANCE WITH SECTIONS 8340 AND 8341 OF THE STREETS AND HIGHWAYS CODE






PROJECT SITE:
WEST SIDE OF HARBOR BLVD.,
NORTH OF GARDEN GROVE BLVD.,
SOUTH OF LAMPSON AVE.

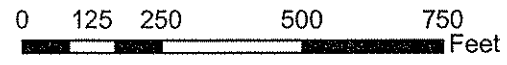
LEGEND

 PROJECT SITE- WEST SIDE OF HARBOR BLVD., NORTH OF GARDEN GROVE BLVD., SOUTH OF LAMPSON AVE.

 500 FEET RADIUS

NOTES

1. GENERAL PLAN: INTERNATIONAL WEST MIXED USE
2. ZONE: PLANNED UNIT DEVELOPMENT NO. PUD-126-10



**CITY OF GARDEN GROVE
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
GIS SYSTEM
MARCH 2011**

EXHIBIT "A"
LEGAL DESCRIPTION
CITY OF GARDEN GROVE
STREET VACATION

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