



Legislation Details (With Text)

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Title: Adopt and authorize recordation of Resolution No. 2019-26 ordering the Summary Vacation of an existing Walkway Easement to the former Franklin School Site

Attachments: 1. Att#1 Reso 2019-26, 2. Att#2 NOA GPC 19-001 (Windbourne Ped Esmnt)

Date	Ver.	Action By	Action	Result
5/20/2019	1	City Council/Public Financing Authority	approved	Pass

REQUEST FOR CITY COUNCIL ACTION

SUBMITTED TO: Honorable Mayor and City Council Members

SUBMITTED BY: Lori Ann Farrell Harrison, Interim City Manager

PREPARED BY: Travis K. Hopkins, PE, Director of Public Works

Subject:

Adopt and authorize recordation of Resolution No. 2019-26 ordering the Summary Vacation of an existing Walkway Easement to the former Franklin School Site

Statement of Issue:

Pursuant to the project requirements, Conditions of Approval, and Chapter 4 of the California Streets and Highways Code, the Public Works Department requests that City Council adopt a resolution to summarily vacate an existing walkway easement to the former Franklin School site.

Financial Impact:

No funding is required for this action.

Recommended Action:

A) Adopt Resolution No. 2019-26, "A Resolution of the City Council of the City of Huntington Beach Ordering the Summary Vacation of a Public Service Easement for Pedestrian Walkway Purposes Generally Located Between Spa Drive and the Former Franklin School in the City of Huntington Beach" (Attachment 1); and,

B) Instruct the City Clerk to record Resolution No. 2019-26 and the attached exhibits with the Orange County Recorder.

Alternative Action(s):

Deny the recommended action with findings for denial.

Analysis:

In 1962, a 10-foot wide walkway easement (depicted as Exhibit “B” to Attachment 1) was dedicated to the City of Huntington Beach on Tract Map 4364, and served as public access connecting the subject tract from Spa Drive to the former Franklin School site. In September of 2018, the City approved Tentative Tract Map 18147 for 51 new homes at the former school site with a Condition of Approval that the Developer address vacation of the existing walkway easement, since it was no longer needed for pedestrian access with the layout of the new subdivision.

The Developer has formally requested that the City process a summary vacation of the walkway easement. Public Works is now acting as the agent to pursue this vacation of said easement. Staff has determined that the existing easement is no longer needed for existing or prospective public use (or circulation) and that vacating it would not conflict with goals and policies in the City’s General Plan.

Consequently on April 23, 2019, the City of Huntington Beach Planning Commission approved General Plan Conformance No. 19-001 (Attachment 2), finding that the proposed Summary Vacation (of the Walkway Easement located north of Spa Drive and connecting to the former Franklin School site) conforms to the goals and policies of the City’s General Plan.

The Public Works Department is now requesting that City Council finalize the vacation by adopting a resolution to summarily vacate the existing easement. Upon City Council approval, the resolution will be recorded with the County of Orange and the underlying fee title ownership will revert to the adjacent property owners. The Developer will then remove the existing asphalt walkway and bordering walls and reconstruct a new wall at the respective property lines of the adjacent property owners.

Public Works Commission Action: Not required.

Environmental Status:

The proposal is categorically exempt from the California Environmental Quality Act, pursuant to City Council Resolution No. 4501, Class V: Alterations in Land Use Limitations, sub-section (a) minor street, alley and utility easement vacations.

Strategic Plan Goal:

Enhance and maintain infrastructure

Attachment(s):

1. Resolution No. 2019-26, “A Resolution of the City Council of the City of Huntington Beach Ordering the Summary Vacation of a Public Service Easement for Pedestrian Walkway Purposes Generally Located Between Spa Drive and the Former Franklin School in the City of Huntington Beach”
2. Notice of Action - General Plan Conformance 19-001

