



City of Huntington Beach Planning Department  
**STUDY SESSION REPORT**

**TO:** Planning Commission  
**FROM:** Scott Hess, AICP, Director of Planning  
**BY:** Hayden Beckman, Planning Aide HB  
**DATE:** May 13, 2008  
**SUBJECT: GENERAL PLAN CONFORMANCE NO. 08-002 (GOTHARD STREET VACATION)**

**LOCATION:** East side of Gothard Street approximately 150 feet west of Main Street

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**PROJECT REQUEST AND SPECIAL CONSIDERATIONS**

General Plan Conformance No. 08-002 represents a request, pursuant to Section 65402 of the California Government Code, by the City of Huntington Beach to determine if vacation of a city easement on a portion of property previously condemned for the Gothard Street widening is in conformance with the goals, objectives, and policies of the General Plan.

On April 20, 1999 the City adopted Resolution of Necessity No. 98-30 as a part of the repositioning and extension of Gothard Street between Garfield Avenue and Main Street. The resolution split an existing private property by allowing the City to acquire approximately 9,900 square feet of property for street widening purposes.

Subsequently, on July 30, 1999 the City obtained a permanent easement on the 9,900 square foot portion of land, which classified its use as a right of way contribution to the future widening of Gothard Street. Approximately 8,500 square feet of the acquisition was used for the extension of Gothard Street and the remaining 1,400 square feet remained severed and fronting along the newly formed portion of Gothard.

Although designated by the General Plan as right of way, the 1,400 square foot site is no longer needed and has not since been used by the City for right of way purposes. The site is currently unimproved and occasionally used for overflow parking for the adjacent 29-unit apartment complex.

On June 12, 2001 the Planning Commission approved Conditional Use Permit No. 00-75/Tentative Parcel Map No. 00-207 for the construction of the 29-unit apartment complex which abuts the subject area along the north and east property lines. At that time, the Planning Commission forwarded a recommendation to the City Council that the remnant parcel be maintained as a landscape area. (See Attachment No. 3)

Additionally, on April 23, 2008 the Planning Department received an application for Lot Line Adjustment No. 08-002, which requests that the subject property be consolidated to the surrounding parcel, on which the 29-unit apartment complex is located. After the remnant parcel is consolidated the applicant must install a 15 foot landscape planter along the street frontage as required by the Holly Seaciff Specific Plan.

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

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	Right of Way	Specific Plan 9 (Holly-Seacliff Specific Plan)	Vacant
North and East of Subject Property:	RM (Residential Medium Density)	Specific Plan 9	Apartments
South and West of the Subject Property (across Gothard St.):	I-F2-d-sp (Industrial – Max. Floor Area Ratio 0.50 – Design Overlay – Specific Plan Overlay)	Specific Plan 9	Industrial, Vacant

**APPLICATION PROCESS AND TIMELINES**

DATE OF COMPLETE APPLICATION:                      MANDATORY PROCESSING DATE(S):  
 April 23, 2008 (Date of Request)                                      June 1, 2008 (40 days from date of request)

The request is tentatively scheduled as a non-public hearing item for the Planning Commission meeting of May 28, 2008.

**CEQA ANALYSIS/REVIEW**

The General Plan conformance review is categorically exempt pursuant to Section 15306, Class 6 of the California Environmental Quality Act, which states that information collection which does not result in major disturbance to an environmental resource is exempt from any environmental review.

**COMMENTS FROM CITY DEPARTMENTS AND OTHER PUBLIC AGENCIES**

The Public Works Department, acting as applicant for General Plan Conformance No. 2008-002, has reviewed and is processing the easement vacation request through the City Council.

**PUBLIC MEETINGS, COMMENTS AND CONCERNS**

Not applicable.

**PLANNING ISSUES**

The only issue to consider as part of this request is the proposed vacation of the easement and its conformance to the City’s General Plan. Vacation of the easement conforms to the following goals, objectives and policies of the General Plan:

Land Use Element

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

Gothard Street currently provides sufficient access to the surrounding industrial and residential uses. As a result of the past widening and realignment, the subject property is no longer necessary to support the circulation pattern of the adjacent areas.

LU Goal 4: *Achieve and maintain high quality architecture, landscape, and public open spaces in the City.*

The vacation of the easement would result in a transfer of land to the property owner and allow for private enhancement purposes, including improvements to the unimproved site that will advance the visual character of the Gothard Street corridor.

LU Policy 9.1.3: *Require that multi-family residential projects be designed to convey a high level of quality and distinctive neighborhood character as discussed below.*

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*(e) Include an adequate landscape setback along the street frontage that is integrated with abutting sidewalks and provides continuity throughout the neighborhood.*

In a memo to the Mayor and City Council dated June 20, 2001, the Planning Commission recommended that the subject site, a remnant parcel, be maintained as landscaped area. The subject property fronts Gothard Street and as an unimproved site does not contribute to integration or continuity of aesthetic character throughout the adjacent areas. Vacation of the easement will allow the remnant parcel to be incorporated into the adjacent development and used to provide the required 15 foot landscaping buffer along the Gothard street frontage, as set forth by the Holly Seacliff Specific Plan, and possibly additional guest parking.

#### Circulation Element

CE Objective 1: *Balance the circulation system with the circulation demands generated by the implementation of the City's Land Use Element.*

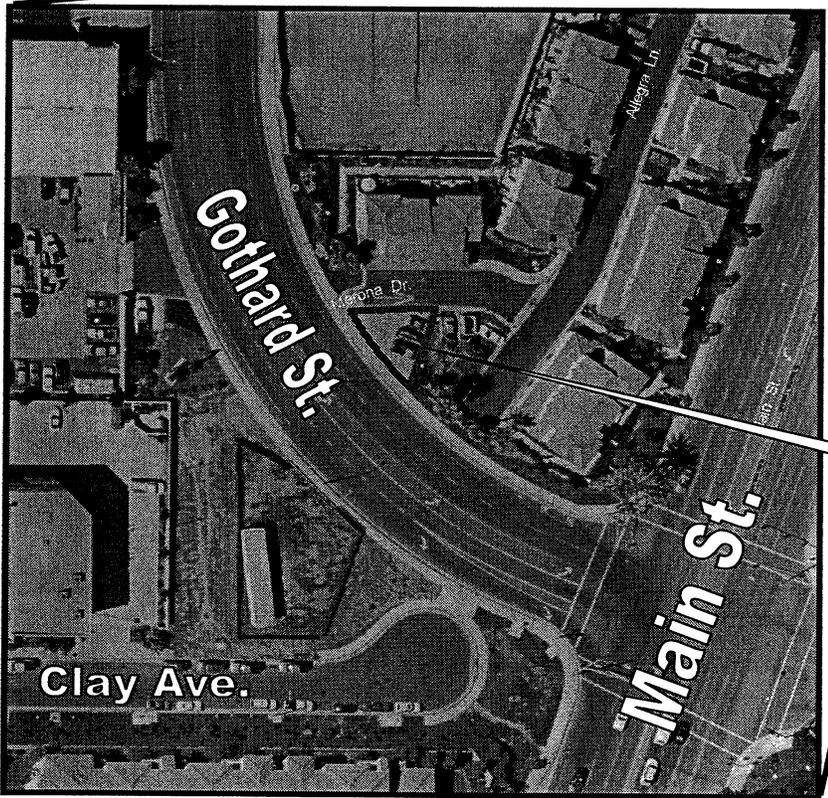
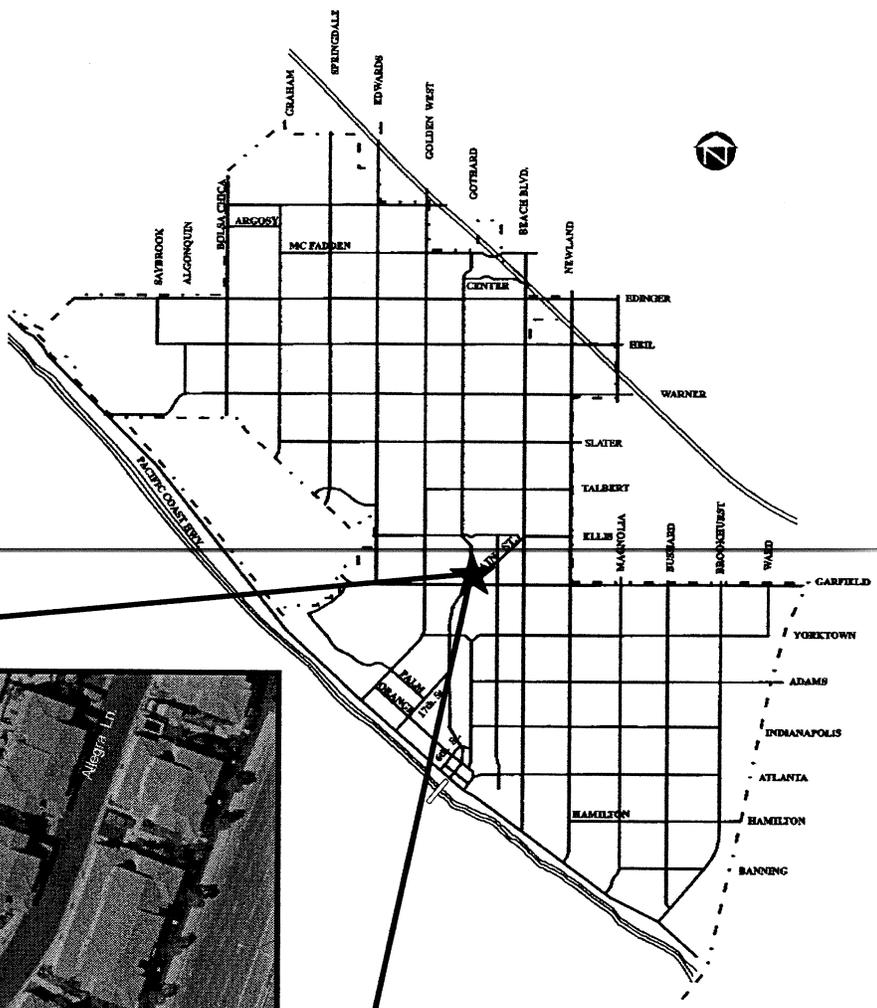
CE Goal 2: *Provide a circulation system which supports existing, approved, and planned land uses throughout the City while maintaining a desired level of service on all streets and at all intersections.*

The subject easement is no longer needed and its vacation will not have a detrimental impact on the circulation system.

#### ATTACHMENTS:

1. Vicinity Map – General Plan Conformance No. 08-002
2. Project Narrative Dated May 5, 2008
3. Planning Commission Memorandum Dated June 20, 2001

**PROJECT  
SITE**



**SUBJECT SITE**

**VICINITY MAP**  
*GENERAL PLAN CONFORMANCE NO. 08-002  
(GOTHARD STREET VACATION)  
THE CITY OF HUNTINGTON BEACH*



**CITY OF HUNTINGTON BEACH**  

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**INTERDEPARTMENTAL COMMUNICATION**

**TO:** Hayden Beckman, Planning Aide

**FROM:** James Wagner, Senior Civil Engineer

**SUBJECT:** General Plan Conformance 2008-02 for the vacation of a portion of condemned property for Gothard Street widening not required for street purposes

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**DATE:** May 5, 2008

This is a request to process a GPC for vacating a permanent city easement left over on a portion of APN 111-150-24 that was intersected by new Gothard Street about five years ago. The triangular shaped street easement left over from a condemnation for the new Gothard Street was a piece of property belonging to 7251 Stewart Circle. The location is APN 111-150-24 at the North East corner of old Crystal Street and Clay Avenue also described as Lot 21 in Block "B" of Garfield Street Addition to Huntington Beach.

The request would vacate a 1410 sq ft easement on property owned by Joe Gergen that is not required by the city for street widening purposes and would complete the Lot Line Adjustment submitted by Joe Gergen and Bart Deboe to adjust the lots to take 1410 sq ft from the Gergen property severed by the new Gothard Street alignment and have it added to the Bart Deboe property on Gothard Street.

Attached, for your use, is an illustration showing the street easement area to be vacated as a crosshatched area.

There has been no environmental status action taken to date.

cc: Terri Elliott, Principal Civil Engineer

N.E. COR., NW 1/4  
NW 1/4, SEC. 2,  
T. 6 S., R.11 W.,  
S.B.B.M.

10.00'

**GARFIELD AVENUE**

**LEGEND:**

 INDICATES AREA DESCRIBED HEREIN

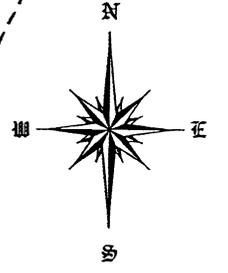
**GOTHARD STREET**

N 00°01'28" W  
933.75'

30' 40' 10'

LOT 1  
TRACT NO. 16740  
M.M. 866 / 30-33

PARCEL 1  
P.M. NO. 2000-207  
P.M.B. 325 / 35-37



SCALE: 1"=100'

BLOCK 'C'  
GARFIELD STREET ADDITION  
TO HUNTINGTON BEACH  
E.M. 7 / 27-28

BLOCK 'B'  
GARFIELD STREET ADDITION  
TO HUNTINGTON BEACH  
E.M. 7 / 27-28

LOT 1  
TRACT NO. 16289  
M.M. 837 / 44-45

TRACT NO. 15964  
M.M. 849 / 24-26

**MAIN STREET**

**CLAY AVENUE**

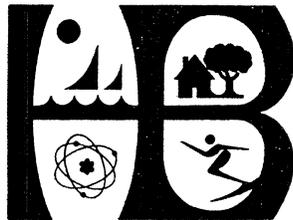
P.O.B.

N 18°59'43" E  
50.95'

N 71°00'00" W  
80.47'



**EXHIBIT 'B'**



## Huntington Beach Planning Commission

P.O. BOX 190

CALIFORNIA 92648

**TO:** Honorable Mayor and City Council  
**FROM:** Connie Mandic, Chairperson *cdm*  
Huntington Beach Planning Commission  
**DATE:** June 20, 2001

**SUBJECT:** Remnant Parcel at Main and Gothard

### ISSUE:

On June 12, 2001 the Planning Commission reviewed and approved Conditional Use Permit No. 00-75 and Tentative Parcel Map No. 00-207 for the construction of 29 apartment units at Main and Gothard. At the Planning Commission meeting the issue of a remnant parcel adjacent to the proposed project and Gothard Street was discussed with staff. The Planning Commission requested that the City Council be apprised of their recommendation regarding the parcel.

### BACKGROUND:

The remnant parcel totals approximately 1,400 square feet. The City acquired an easement on the parcel for street purposes (Gothard) in 1999, but the property owner, Mel Elliott, retained fee interest after the acquisition. The parcel is bordered on two sides by the approved 29-unit apartment project.

The Planning Commission discussed integrating the remnant parcel into the project. The project applicant, PLC, explained that it was unsuccessful in negotiating a purchase price for the parcel with the current owner, Mel Elliott. In addition, the City's easement does not permit the property to be used for private purposes. Thus, the property remains under the control of the City and Mr. Elliott.

### RECOMMENDED ACTION:

The Planning Commission recommends that the remnant parcel be maintained as landscaped area.

c: Planning Commission  
Ray Silver, City Administrator  
Howard Zelefsky, Director of Planning  
Matt Lamb, Real Estate Manager  
Jennifer McGrath, Deputy City Attorney  
Sandra Thornton, Assistant Planner