



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 *HB*  
**DATE:** February 9, 2010

**SUBJECT: GENERAL PLAN CONFORMANCE NO. 09-008 (HUNTINGTON BEACH DENTAL ALLEY 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:** South of Warner Avenue, West of Ash Lane

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**PROJECT REQUEST AND SPECIAL CONSIDERATIONS**

General Plan Conformance No. 09-008 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 2,864 square foot portion of an unimproved alley right-of-way 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 alley area and allow the fee title to be granted to the adjacent property owners.

The subject alley is located mid-block between Warner Avenue to the north, Sycamore Drive to the south, and between Oak Lane to the west and Ash Lane to the east. The area to be vacated measures 20 feet by 143 feet and abuts residential properties to the south, three vacant parcels to the north, and unimproved alley areas to the east and west.

The area to be vacated is located immediately south of a three parcel site that was granted approval of Conditional Use Permit No. 2005-029, which allowed the construction of a 6,900 square foot two story medical office building. In approving the project on February 13, 2007, the Planning Commission also granted the project site two vehicular access points; allowing one off of Warner Avenue and another from the abutting alley off Oak Lane, which is currently only partially improved. Section 231.02 (E)(3) of the Huntington Beach Zoning and Subdivision Ordinance states that when a lot abuts an arterial highway and an alley, vehicular access to on-site parking shall be provided from the alley unless the Planning Commission approves a different access.

General Plan Conformance No. 2009-008 will vacate the right-of-way easement held over a 2,864 square foot portion of the existing unimproved alley way and will help facilitate the development of the medical office building approved by CUP No. 2005-029. The fee title of the subject alley area will revert to the adjacent property owners, which include the residential property owners to the south and the medical office project site to the north. The remainder of the unimproved alley (55 linear feet) will be improved by and provide access to the medical office building.

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

<b>LOCATION</b>	<b>GENERAL PLAN</b>	<b>ZONING</b>	<b>LAND USE</b>
Subject Area:	Right-of-Way	Right-of-Way	Unimproved Alley
North of Subject Area:	CG-F1 (Commercial General—Max 0.35 Floor Area Ratio)	CG (Commercial General)	Vacant (Approved for Medical Office)
East of Subject Area (across Ash Lane):	CG-F3-d (Commercial General—Max 1.0 Floor Area Ratio – Design Overlay)	CG - H (Commercial General – Highrise Overlay)	Huntington Plaza Commercial Center
South and West of Subject Area:	RM-15 (Residential Medium Density – Max 15 units per acre)	RM (Residential Medium Density)	Single and Multi-Family Residential

**APPLICATION PROCESS AND TIMELINES**

**DATE OF COMPLETE APPLICATION:**  
January 21, 2010

**MANDATORY PROCESSING DATE(S):**  
March 1, 2010 (40 days from complete application)

General Plan Conformance No. 09-008 is tentatively scheduled for action by the Planning Commission on February 23, 2010. 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. 09-008 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, policies and objectives 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.*

Since the subject alley has not been improved to provide vehicular access between Ash Lane and Oak Lane, the alley right of way easement is not necessary to support existing and future public use. Upon vacation, half of the subject alley area will revert to the property owner to the north who, upon construction of the medical office project, will provide a landscaped setback area and additional space for required on-site parking. The fee title for the remaining vacated alley area will revert to the residential properties to the south.

### **B. Circulation Element**

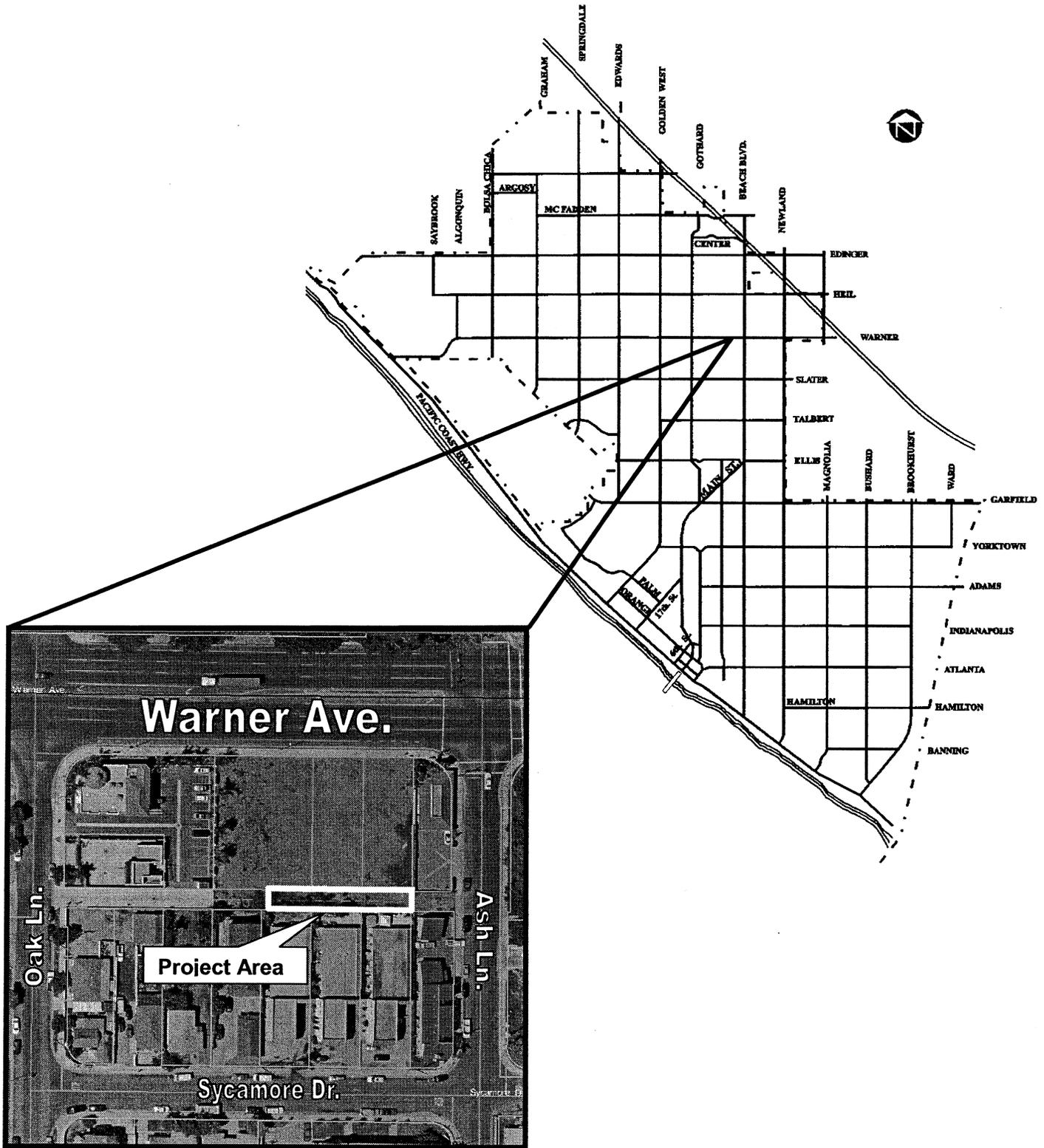
*CE Objective 1.1: Balance the circulation system with the circulation demands generated by the implementation of the City's Land Use Element.*

*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 commercial and residential uses. The subject alley is no longer necessary to support the circulation needs of the abutting properties, and the easement vacation of the subject right-of-way alley will not have a detrimental impact on the circulation system. An approximately fifty-five (55) linear foot portion of the currently unimproved alley will be improved to provide vehicular access to the southwest corner of the medical office project site, with access from Oak Lane.

## **ATTACHMENTS:**

1. Vicinity Map – HB Dental Alley Vacation
2. Project Narrative Dated December 21, 2009



**VICINITY MAP**  
**GENERAL PLAN CONFORMANCE NO. 2009-008**  
**(HB DENTAL ALLEY VACATION)**

Project Narrative

Project: **Street Vacation – Alley Adjacent to 7782-7802 Warner Avenue (West of Ash Lane)**  
Application: General Plan Conformance / Street Vacation  
Applicant: City of Huntington Beach Department of Public Works  
Contact: Josh McDonald, Civil Engineering Assistant  
Phone #: (714) 536-5509  
Date: December 21, 2009

Project Summary

The City proposes to vacate the 20-foot wide for public street purposes alley. The existing alley segment (20 feet wide by 143 feet long), which is west of Ash Lane, has not been used for public street purposes in the last five years. Please see the attached Plat Map and Legal Description for a full depiction of the proposed area. The location is bounded by a fenced unimproved alley (vacant) abutting Ash Lane to the East, single family homes on the south (7801, 7811 & 7821 Sycamore Avenue), a public alley to the West and the proposed HB Dental development to the north (currently vacant lots). Once vacated, the underlying fee title ownership of the subject area would revert to the adjacent owners.

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 unimproved alley. As a part of CUP 05-29 (HB Dental), ten feet or half width of the vacated alley will be utilized for the development of a new medical office building and parking area. A driveway approach to the existing improved alley to the west will also be constructed for a second access point to the development along with shared access to the east. The existing fencing and the existing alley barricade at the westerly property line will be removed.

  
Josh McDonald, Applicant

12-21-09  
Date