



PLANNING COMMISSION AGENDA REPORT

III.1.

MEETING DATE: OCTOBER 25, 2004

ITEM NUMBER:

**SUBJECT: GENERAL PLAN CONFORMITY RESOLUTION-CONVEYANCE OF EASEMENT OVER SANTA ANA DELHI CHANNEL/TOWN CENTER DRIVE FROM ORANGE COUNTY FLOOD CONTROL DISTRICT TO CITY OF COSTA MESA
655-695 TOWN CENTER DRIVE**

DATE: OCTOBER 11, 2004

**FOR FURTHER INFORMATION CONTACT: CLAIRE L. FLYNN, AICP, ASSOCIATE PLANNER
714-754-5278**

DESCRIPTION

The Orange County Flood Control District (OCFCD) will be conveying an easement over the Santa Ana Delhi Channel to the City of Costa Mesa. This easement is for sidewalk purposes at Town Center Drive. Pursuant to Government Code Section 65402, the Costa Mesa Planning Commission must find the use of the property to be in conformance with the 2000 General Plan.

APPLICANT

Orange County Flood Control District/County of Orange

RECOMMENDATION

Adopt attached resolution finding that the proposed conveyance and use of the subject property in conformance with the City of Costa Mesa 2000 General Plan.

Rebecca Robbins

REBECCA ROBBINS
Planning Intern

Claire L. Flynn

CLAIRE L. FLYNN, AICP
Associate Planner

R. Michael Robinson

R. MICHAEL ROBINSON, AICP
Planning & Redevelopment Mgr.

ANALYSIS

Government Code Section 65402 prohibits the county or a special district from acquiring, using, or disposing of property within an incorporated city until the City's Planning Commission can review the proposed conveyance or use for conformity with the General Plan.

The proposed transaction requested by the Orange County Flood Control District involves the conveyance of an easement along the Santa Ana Delhi Channel to the City of Costa Mesa. The subject property is bounded by Town Center Drive (north), Bristol Street (west), Avenue of the Arts (east), and the Santa Ana Delhi Channel (south). (Aerial photograph, Exhibit "A" of attached resolution.) The Costa Mesa 2000 General Plan currently designates this property as Cultural Arts Center.

The following property from the County of Orange is proposed to be conveyed: a 70.02' long by 7.5' wide parcel (approx. 525 sq.ft.) located at the northeast corner of Parcel 2, Parcel Map Book 115/37-38. (Parcel Map, Exhibit "B" of attached resolution.) The purpose of the request is to convey an easement to the City of Costa Mesa for sidewalk purposes at Town Center Drive. The new sidewalk will enhance pedestrian circulation among the commercial and cultural arts facilities of Town Center, and thus this purpose conforms to the Circulation Element of the 2000 General Plan to provide a safe and balanced circulation system.

CONCLUSION

The proposed conveyance and use of the easement for sidewalk purposes along the Santa Ana Delhi Channel at Town Center Drive are in conformance with the City of Costa Mesa 2000 General Plan.

- Attachments:
1. Planning Commission Resolution
Exhibit "A" – Project Location
Exhibit "B" – Legal Description
 2. 9/22/04 Correspondence from County of Orange

cc: Deputy City Manager - Dev. Svcs. Director.
Assistant Development Services Director
Assistant City Attorney
Staff (4)
File (2)

Mr. John D. Pavlik
Right-of-Way Engineer
County of Orange
300 N. Flower Street
P.O. Box 4049
Santa Ana, CA 92702-4048

RESOLUTION NO. PC-04-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA FINDING THAT THE ORANGE COUNTY FLOOD CONTROL DISTRICT'S CONVEYANCE AND PROPOSED USE OF AN EASEMENT ALONG THE SANTA ANA DELHI CHANNEL TO CITY OF COSTA MESA IS IN CONFORMANCE WITH THE CITY OF COSTA MESA 2000 GENERAL PLAN.

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, the City of Costa Mesa 2000 General Plan was adopted on January 22, 2002;

WHEREAS, the California Government Code 65402, provides in part that a local agency shall not acquire, use, or dispose of any real property until the use of the property has been reported upon as to conformity with the applicable General Plan;

WHEREAS, John Pavlik, Right-of-Way Engineering Manager for the County of Orange, requested a General Plan conformity report for the following activity: conveyance of a 525 sq.ft. easement at Town Center Drive to the City of Costa Mesa for sidewalk purposes;

WHEREAS, the subject property is located along the Santa Ana Delhi Channel, bounded by Town Center Drive (north), Bristol Street (west), Avenue of the Arts (east), and the Santa Ana Delhi Channel (south), as shown in Exhibit "A";

WHEREAS, the City of Costa Mesa 2000 General Plan designates the property as Cultural Arts Center; and

WHEREAS, the proposed conveyance and use of the easement for sidewalk purposes conforms to the Circulation Element of the 2000 General Plan to provide for a safe and balanced circulation system.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby find the proposed conveyance and use of the easement along the Santa Ana Delhi Channel in conformance to the 2000 General Plan.

PASSED AND ADOPTED this 25th day of October, 2004

Chair, Costa Mesa
Planning Commission

Exhibit "A"

Project Location

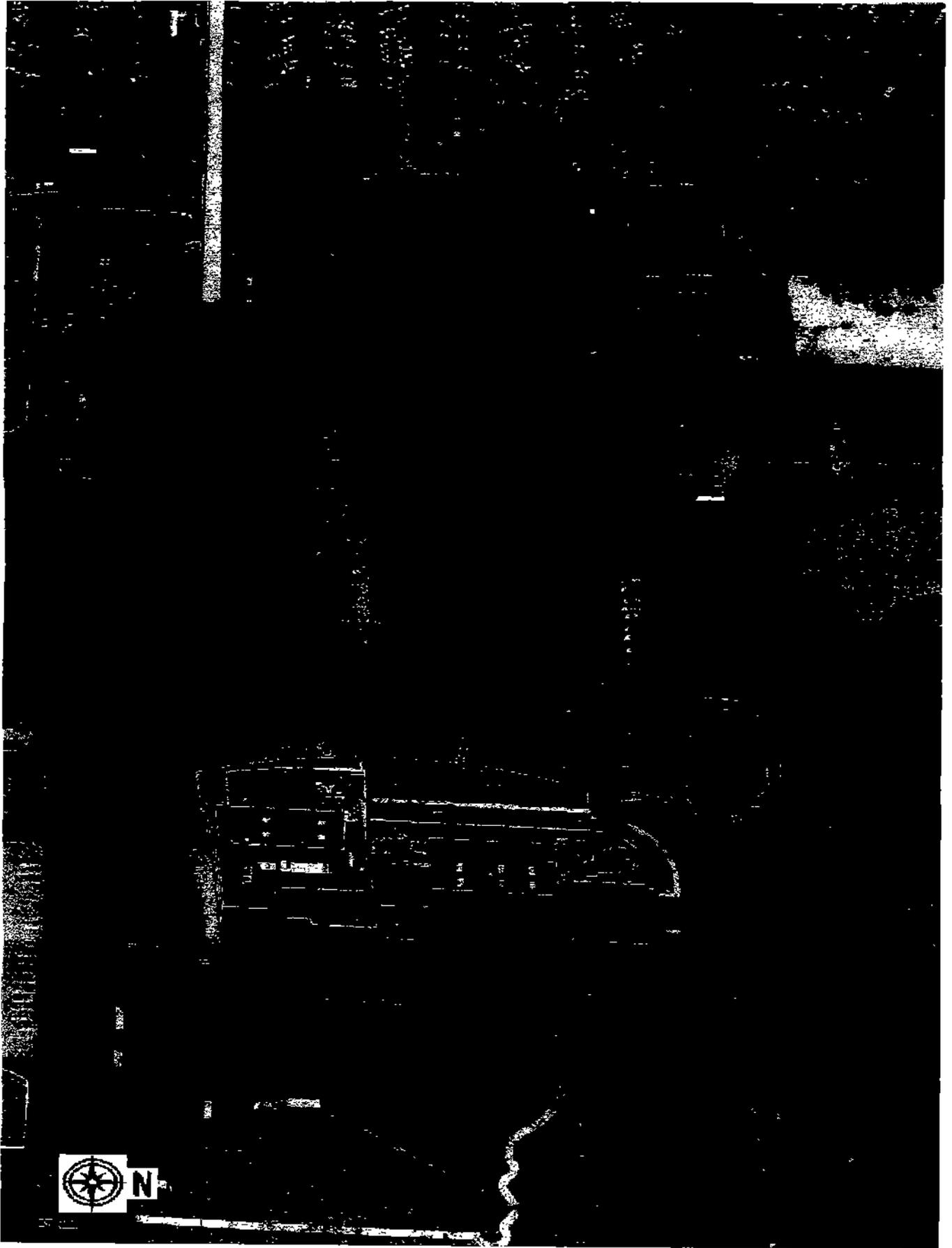


Exhibit "B"

Legal Description

EASEMENT NOTES:

- (A) - DENOTES AN EASEMENT FOR STREET AND HIGHWAY PURPOSES IN FAVOR OF THE CITY OF COSTA MESA PER O.R. 12755/1857.
- (B) - DENOTES AN EASEMENT FOR STREET AND HIGHWAY PURPOSES IN FAVOR OF THE CITY OF COSTA MESA PER O.R. 11655/597.
- (C) - DENOTES AN EASEMENT FOR STORM DRAIN CHANNEL PURPOSES IN FAVOR OF THE ORANGE COUNTY FLOOD CONTROL DISTRICT PER O.R. 5920/918 AND 6936/260.
- (D) - DENOTES AN EASEMENT FOR SIDEWALK PURPOSES IN FAVOR OF THE CITY OF COSTA MESA PER INST. NO. 2003-001276256, O.R.

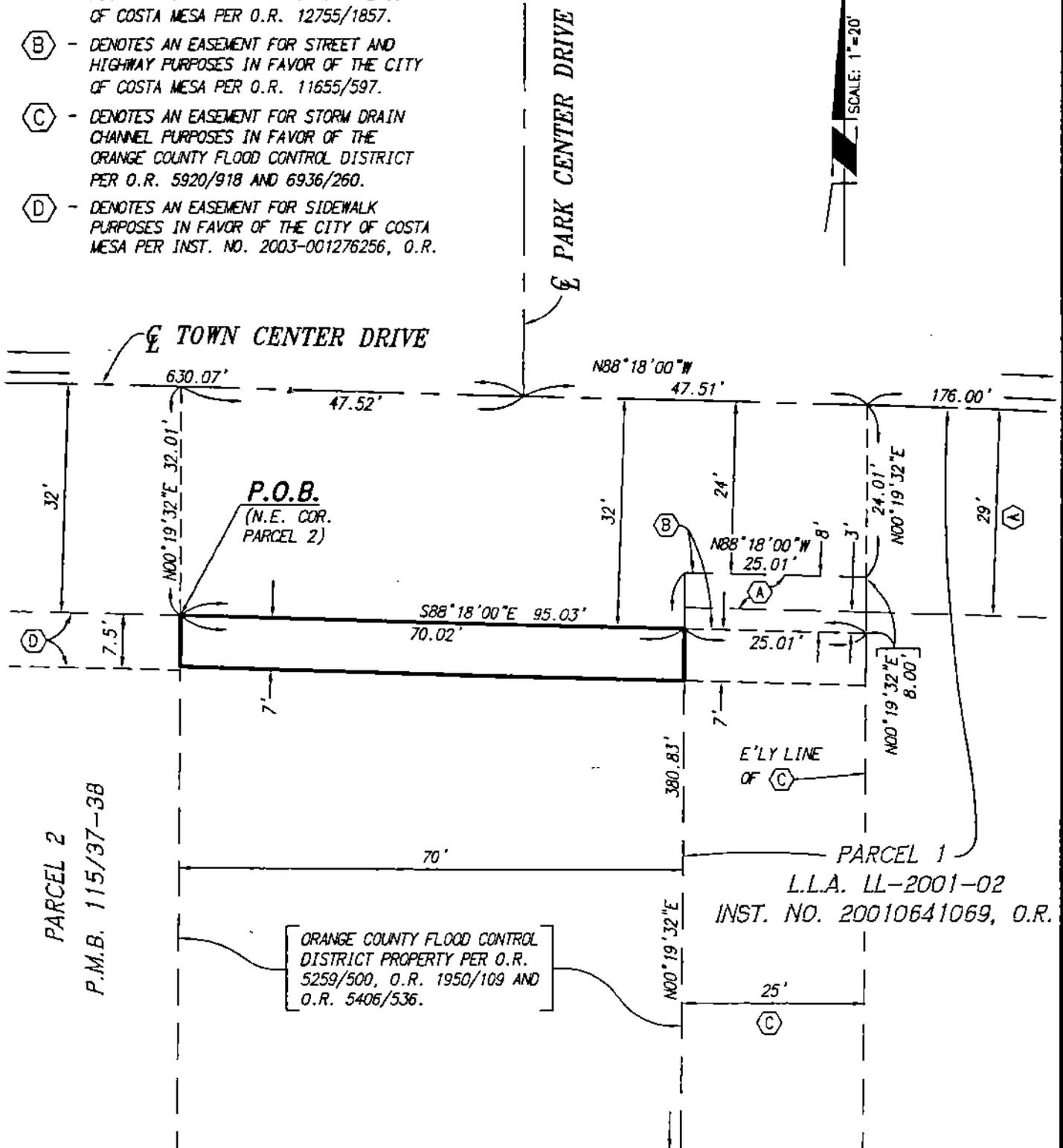


EXHIBIT "B"

SKETCH TO ACCOMPANY A LEGAL DESCRIPTION FOR A SIDEWALK EASEMENT FOR TOWN CENTER DRIVE (ORANGE COUNTY FLOOD CONTROL DISTRICT) CONTAINING: 490 SQUARE FEET



SHEET 1 OF 1 SHEET
PLANNING ■ DESIGN ■ CONSTRUCTION

14725 ALTON PARKWAY
IRVINE, CALIFORNIA 92618-2027
CONSULTING 949 472.3505 • FAX 949 472.8373 • www.RBF.com
REVISED AUGUST 26, 2004
JUNE 25, 2004 J.N. 10-102531

Attachment 2
Correspondence



COUNTY OF ORANGE

RESOURCES & DEVELOPMENT MANAGEMENT DEPARTMENT

Bryan Speegle, Director
300 N. Flower Street
Santa Ana, CA

P.O. Box 4048
Santa Ana, CA 92702-4048

Telephone: (714) 834-2300
Fax: (714) 834-5188

September 22, 2004

ROWE I.D. No.: 2004-062

Donald D. Lamm
Director of Development Services
CITY OF COSTA MESA
77 Fair Drive
Costa Mesa, CA 92628

**SUBJECT: Request for General Plan Conformity Report – Santa Ana Delhi Channel (F01)
Town Center Drive Sidewalk at South Coast Repertory Theater**

Mr. Lamm,

The Orange County Flood Control District (OCFCD) has been requested to convey an easement over its Santa Ana Delhi Channel to the city. The easement is for sidewalk purposes at Town Center Drive and is shown on the attached sketch.

Prior to conveying this easement, it is necessary to comply with Section 65402 of the California Government Code, which provides that the OCFCD shall not acquire or dispose of any real property until the location, purpose, and extent of such activity has been reported upon as to conformity with the applicable, adopted general plan. Therefore, it is requested that the City provide the OCFCD with a report by its planning commission, or authorized staff, regarding general plan conformance of the proposed conveyance.

It is requested that one date-stamped copy of the report be returned for our files. Please route this copy to Scott Heinrichs of Right of Way Engineering, who may be contacted at (714) 834-2010.

Very truly yours,

John D. Pavlik
Right of Way Engineering Manager

Enclosures: Parcel Sketch
Aerial Photo

cc: Allan Roeder, City Manager
Tony Ferrulli, Manager, CEO Real Estate