



# **PLANNING COMMISSION AGENDA REPORT**

MEETING DATE: JANUARY 24, 2005

*III.1.*  
ITEM NUMBER:

SUBJECT: GENERAL PLAN CONFORMITY RESOLUTION- COSTA MESA SANITARY DISTRICT'S  
ACQUISITION OF EXCESS RIGHT-OF-WAY  
628 WEST 19<sup>TH</sup> STREET

DATE: JANUARY 14, 2005

FOR FURTHER INFORMATION CONTACT: REBECCA ROBBINS, PLANNING INTERN  
(714) 754-5245

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## **DESCRIPTION**

The Costa Mesa Sanitary District is proposing to acquire excess right-of-way at 628 West 19<sup>th</sup> Street from the City of Costa Mesa. Pursuant to Government Code Section 65402, Planning Commission must find the acquisition of this property to be in conformance with the 2000 General Plan.

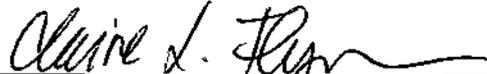
## **APPLICANT**

Robin Hamers, Costa Mesa Sanitary District.

## **RECOMMENDATION**

Adopt attached resolution finding that the proposed vacation of the subject right-of-way is in conformance with the City of Costa Mesa 2000 General Plan.

  
REBECCA ROBBINS  
Planning Intern

  
CLAIRE L. FLYNN, AICP  
Senior Planner

  
R. MICHAEL ROBINSON, AICP  
Asst. Dev. Svcs. Director

## 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 vacation for conformity with the General Plan.

The Costa Mesa Sanitary District is requesting a General Plan conformity finding to acquire excess right-of-way at 628 West 19<sup>th</sup> Street from the City of Costa Mesa. The subject property is located at the northeast corner of West 19<sup>th</sup> Street and Meyer Place and serves as the new district headquarters for the Costa Mesa Sanitary District. A vicinity map is attached (Attachment 1).

The Costa Mesa 2000 General Plan currently designates the property as General Commercial. If the proposed vacation is approved and recorded, the subject property will be restored in fee title to the Sanitary District. The proposed use of the subject right-of-way would be for handicapped access ramps to the office facility.

Staff has found the proposal in compliance with the 2000 General Plan for the following reasons:

- Subject right-of-way serves no public street or highway purpose. There are no public improvements currently constructed within the subject right-of-way. West 19<sup>th</sup> Street was designated on the previous Master Plan of Highways as a Primary Highway (106 feet wide). However, pursuant to the current Master Plan of Highways, this portion of West 19<sup>th</sup> Street is still designated as a Primary Highway but with a revised ultimate width of 84 feet. This results in 11 feet of excess right-of-way that does not serve any public street or highway purpose.
- Future public utilities are not planned. There are no public utilities located within the subject right-of-way, and there are no plans to use this property for future public utilities. In addition, this right-of-way is not required for any ingress and egress purposes by a public agency to the private property.
- Proposed action conforms to General Plan Goal LU-2. As described in the Land Use Element, it is the City's goal to create and maintain an aesthetically pleasing and functional environment and minimize impacts on existing physical and social resources. Given that the proposed action will not result in any adverse impacts to public utilities or the transportation network, it is in conformance with the General Plan.

## CONCLUSION

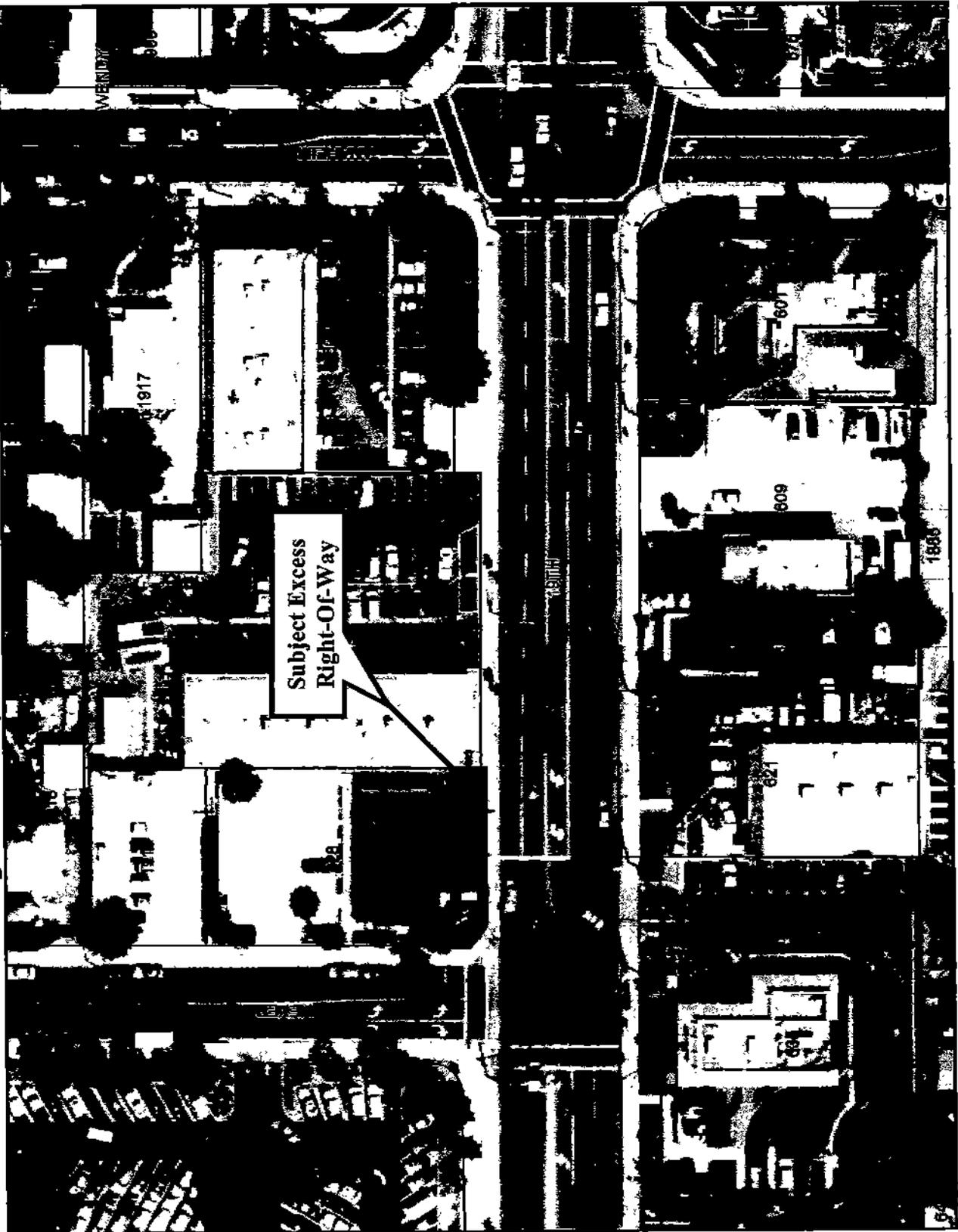
The Costa Mesa Sanitary District's proposal to acquire excess right-of-way at 628 West 19<sup>th</sup> Street from the City of Costa Mesa is in conformance with the City of Costa Mesa 2000 General Plan. The Planning Commission's adoption of a General Plan conformity resolution is in compliance with State law.

- Attachments:
1. Vicinity Map
  2. Planning Commission Resolution  
Exhibit "A" – Legal Description  
Exhibit "B" – Street Vacation Map/Parcel Map
  3. Correspondence from City Engineer dated 12/02/2004

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

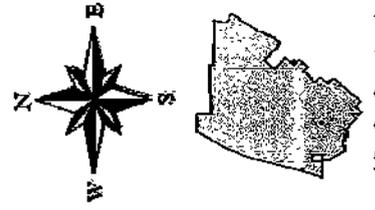
# Vicinity Map

Right-Of-Way @ 628 West 19th Street



## Legend

- Parcel Addresses
- Street Names
- Parcel Lines
- Dwelling General
- General Plan Specific Land
- Ortho Photography
- Parcels



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**RESOLUTION NO. PC-05-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA FINDING THAT THE COSTA MESA SANITARY DISTRICT'S ACQUISITION OF EXCESS RIGHT-OF-WAY AT 628 WEST 19<sup>TH</sup> STREET 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, the City of Costa Mesa 2000 General Plan indicates that the subject right-of-way is located at the northeast corner of West 19<sup>th</sup> Street and Meyer Place, and as described in the legal description in Exhibit "A" and as shown in Exhibit "B";

WHEREAS, Robin B. Hamers, on behalf of the Costa Mesa Sanitary District, proposes the acquisition of the subject right-of-way from the City of Costa Mesa;

WHEREAS, the property at 628 W. 19<sup>th</sup> Street abutting the subject right-of-way serves as the Costa Mesa Sanitary District headquarters and is designated as General Commercial by the 2000 General Plan;

WHEREAS, the subject right-of-way does not serve any public street or highway purpose;

WHEREAS, there are no public utilities located within the subject right-of-way, and there are no plans to use this property for future public utilities;

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby find the Costa Mesa Sanitary District's proposed acquisition of the subject right-of-way is in conformance to the City of Costa Mesa 2000 General Plan.

**PASSED AND ADOPTED this 24th day of January, 2005**

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Chair, Costa Mesa  
Planning Commission



**EXHIBIT "A"**  
**STREET VACATION**  
**DESCRIPTION**

628 W. 19th. STREET, COSTA MESA

A PORTION OF LOT 26, FARVIEW FARMS, IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON A MAP RECORDED IN BOOK 8, PAGE 71, OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE EASTERLY TERMINUS OF THAT CERTAIN COURSE DESCRIBED AS "N89°27'25"E 75.00 FEET" IN DEED TO THE CITY OF COSTA MESA, RECORDED AS INSTRUMENT NO. 82-405027 OF OFFICIAL RECORDS OF SAID ORANGE COUNTY; THENCE ALONG THE BOUNDARIES OF SAID DEED THE FOLLOWING TWO COURSES: S89°27'25"W 75.00 FEET AND N45°32'17"W 21.22 FEET TO A POINT ON THE EASTERLY LINE OF MEYER PLACE AS ESTABLISHED BY DEED RECORDED IN BOOK 7417, PAGE 5 OF OFFICIAL RECORDS; THENCE SOUTHERLY ALONG SAID EASTERLY LINE S00°32'00"E 8.99 FEET; THENCE S45°32'17"E 24.04 FEET TO A LINE PARALLEL WITH THE CENTERLINE OF 19th. STREET AND 42.00 FEET NORTHERLY THEREFROM AS SAID 19th. STREET IS SHOWN ON SAID FAIRVIEW FARMS; THENCE ALONG SAID PARALLEL LINE N89°27'25"E 73.00 FEET TO THE EASTERLY LINE OF THE WESTERLY 100 FEET OF SAID LOT 26; THENCE NORTHERLY ALONG SAID EASTERLY LINE N00°32'00"W 11.00 FEET TO THE POINT OF BEGINNING.

SUBJECT TO ANY EASEMENTS OR RIGHTS OF WAY OF RECORD.

ATTACHED AND MADE A PART OF IS A MAP DESIGNATED EXHIBIT "B".



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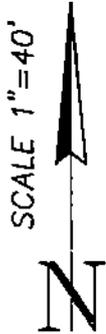
PREPARED BY:  
ROBIN B. HAMERS & ASSOC.  
234 E. 17th. ST., SUITE 205  
COSTA MESA, CA 92627  
(949) 548-1192

# EXHIBIT "B"

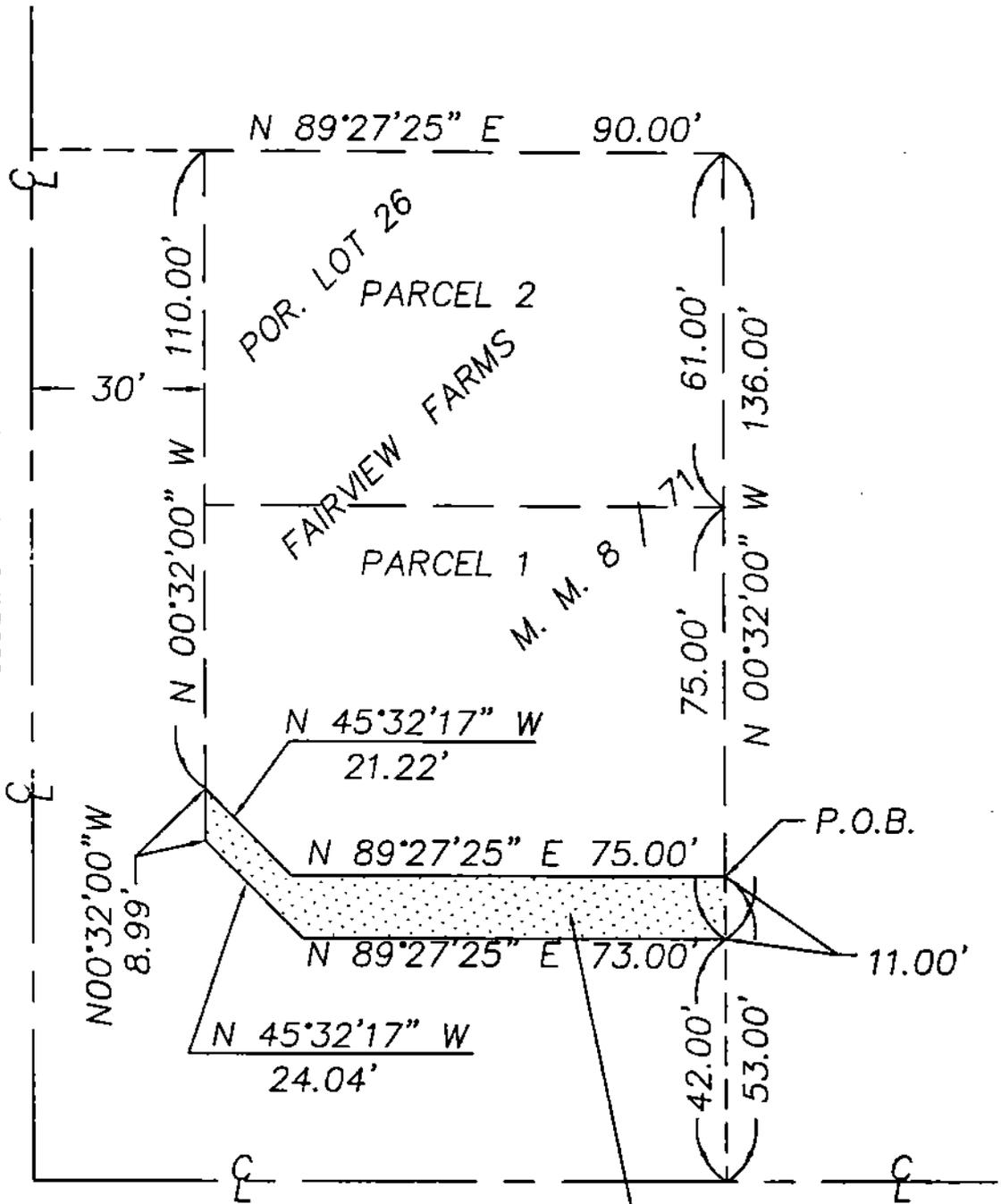
## STREET VACATION

### MAP

628 W. 19th. STREET, COSTA MESA



**MEYER PLACE**



**19th. STREET**

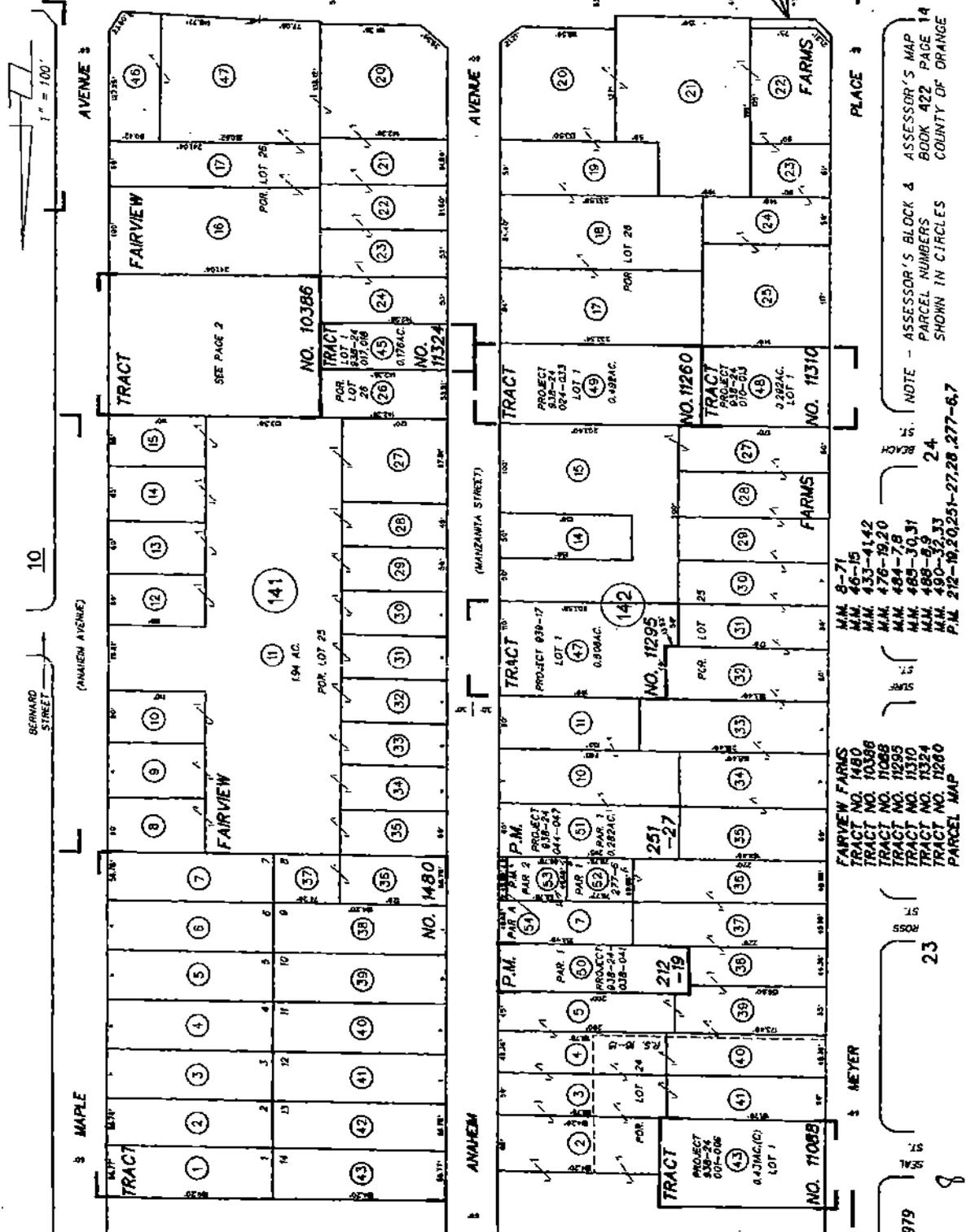
**AREA TO BE VACATED**

AREA= 957 s.f.



422/4.00  
422-14  
PAGE 1 OF 2

THIS MAP WAS PREPARED FOR ORANGE COUNTY ASSESSOR DEPT. NUMBERS ONLY. THE ASSESSOR MAKES NO GUARANTEE AS TO ITS ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED. © COPYRIGHT ORANGE COUNTY ASSESSOR 2001



NOTE - ASSESSOR'S BLOCK & ASSESSOR'S MAP  
PARCEL NUMBERS BOOK 422 PAGE 14  
SHOWN IN CIRCLES COUNTY OF ORANGE

M.M. 46-15  
M.M. 433-4142  
M.M. 476-1920  
M.M. 484-78  
M.M. 488-1031  
M.M. 488-933  
P.M. 212-1820, 251-27, 28, 277-8, 7

FAIRVIEW FARMS  
TRACT NO. 1480  
TRACT NO. 10386  
TRACT NO. 10888  
TRACT NO. 11295  
TRACT NO. 11310  
TRACT NO. 11324  
TRACT NO. 11260  
PARCEL MAP

23

MARCH 1979

ATTACHMENT 2

# CITY OF COSTA MESA

Department of Public Services / Engineering

## INTER OFFICE MEMORANDUM

TO: Mike Robinson, Assistant Dev. Svs. Director  
FROM:  Ernesto Munoz, City Engineer  
DATE: December 2, 2004  
SUBJECT: **Proposed Vacation of Excess Right-of-Way**

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At the request of Mr. Robin Hamers of the Costa Mesa Sanitary District, the Engineering Division is processing a request to vacate excess right-of-way at 628 West 19<sup>th</sup> Street, easterly of Meyer Place.

There are no public improvements currently constructed within the subject excess right-of-way. West 19<sup>th</sup> Street was designated on the previous Master Plan of Highways as a Primary Highway (106 feet wide). However, per the current Master Plan of Highways, this portion of West 19<sup>th</sup> Street is still designated as a Primary Highway but with a revised ultimate width of 84 feet. This results in 11 feet of excess right-of-way at this location.

The excess right-of-way has been reviewed by the Engineering and Transportation Services Divisions and determined to be unnecessary for public streets and highway purposes. There are no public utilities located within the subject right-of-way. This right-of-way is not required for any ingress and egress purposes to private property. Therefore, it is recommended the proposed vacation continue to be processed and forwarded to the City Council for approval. If the proposed vacation is approved and recorded, the subject property will revert back to the underlying fee title owner.

It is requested that the Planning Division provide a determination of consistency with the General Plan and present the vacation of this excess right-of-way to the Planning Commission meeting of January 10, 2005. **Please submit a confirmation that this request has been received and scheduled.**

Thank you for your assistance on this project. If any further information is required, please contact Brad Edwards, Engineering Technician at extension 5015.

Attachment: Exhibit of proposed vacation of excess right-of-way

c: Peter Naghavi, Trans. Services Manager  
Dennis Johnson, Assistant Engineer  
Brad Edwards, Engineering Technician II