

August 18, 2005

**Honorable Chairman and Members of the
Hermosa Beach Planning Commission**

**Regular Meeting of
September 20, 2005**

SUBJECT: GENERAL PLAN CONSISTENCY REVIEW IN CONNECTION WITH STREET
VACATION OF UNUSED RIGHT-OF-WAY -- 760 LOMA DRIVE

VACATION: The easterly 1.13 feet of Loma Drive adjacent to the northerly 29.0 feet of Lot 1, Block E. of Tract 1677 (760 Loma Drive) and 1.70 feet of 8th Street adjacent to the westerly 67.50 feet of said lot.

PURPOSE: To determine that the vacation of the unused portion of public right-of-way adjacent to the above address is in conformance and is not in conflict with the City's adopted General Plan

Recommendation:

By minute order, declare the vacation of the unused portion of right-of-way as described below is excess and not in conflict with the City's General Plan Circulation Element or any other Element of the General Plan.

Background:

The Planning Commission, at its regularly scheduled meeting held on July 20, 2004 approved a second story addition to the existing residence at 760 Loma Drive (corner lot at 8th Street) with the condition that they obtain approval from the Public Works Department for the portions of the existing structure which encroaches into the public right-of-way 1.13 feet on the east side of Loma Drive and 1.7 feet on the south side of 8th Street. This property has been conditioned to construct new curb, gutter and sidewalk on Loma Drive and 8th Street. These improvements are being constructed in the ultimate master planned location for both of these streets and this area proposed to be vacated is outside of these improvements. This area is therefore considered excess public right-of-way, unnecessary for present or prospective public use. The Public Works Department is therefore recommending to Planning Commission and the City Council that this area be vacated to the underlying property owner. The property is currently under construction and the vacation is necessary in order to allow construction to be completed as approved on project plans.

In accordance with the State Streets and Highway Code Section 8320, before vacating public right-of-way, the Planning Commission must consider whether the proposed vacation is consistent with the General Plan.

Analysis

The City's General Plan Objectives, and Policies do not conflict with the subject vacation. Further, the subject portion of right-of-way is not shown on the General Plan Circulation Element map for future use and the City does not have fee interest in the right-of-way. The Public Works Department has reviewed the proposed vacation and will, as a Condition of Approval, require a general utility easement.

Rick Morgan, Director
Public Works Department

Sol Blumenfeld, Director
Community Development Department