

STAFF REPORT



ITEM NO. 14
CITY OF OCEANSIDE

DATE: May 20, 2015
TO: Honorable Mayor and City Councilmembers
FROM: Development Services Department
SUBJECT: **ADOPTION OF A RESOLUTION VACATING DEDICATION OF VEHICULAR ACCESS RIGHTS TO PERMIT VEHICULAR ACCESS VIA OCEAN RANCH BOULEVARD TO PARCEL 1 OF PARCEL MAP NO. 19882**

SYNOPSIS

Staff recommends that the City Council adopt a resolution vacating dedication of vehicle access rights via Ocean Ranch Boulevard to Parcel 1 of Parcel Map No. 19882 to facilitate a 40-foot-wide vehicle access between Rancho Del Oro Drive and Corporate Center Drive, and authorize the City Clerk to file a certified copy of the resolution with the San Diego County Recorder.

BACKGROUND

The owners, Innovative Development Enterprises, Inc., have requested a second vehicular access via Ocean Ranch Boulevard to a portion of the property known as Parcel 1 of Parcel Map 19882, as described in Exhibit A and shown on Exhibit B attached hereto. The access rights were formerly relinquished on Parcel Map No. 19882 pursuant to Section No. 66476 of the State of California Subdivision Map Act.

A development plan for construction of an industrial/office building totaling 91,974 square feet and appurtenances at this site was reviewed by the City Planner and was approved on February 2, 2015, by Administrative Development Plan ADP14-00007. The additional access to Ocean Ranch Boulevard is essential to the future development of this property and is a requirement of the development plan. The additional access to Ocean Ranch Boulevard will facilitate better traffic flow.

ANALYSIS

Government Code §66477.2(c) and Streets and Highway Code Section 8330, et seq., provide the City Council with the authority to vacate a dedication based on the determination that there is not a present or prospective public need for the dedication being vacated.

The property owner dedicated the relinquishment of access rights pursuant to conditions of approval of Parcel Map No. 19882, which provided only a single point of access to control the traffic flow on Ocean Ranch Boulevard.

The property owners' new development plan approved by Administrative Development Plan ADP14-00007 provides for an additional point of access to said road. The additional access point to Ocean Ranch Boulevard will facilitate better traffic flow, thus eliminating the present and prospective need for the owners to relinquish access rights to Ocean Ranch Boulevard at the location shown on Exhibit B.

FISCAL IMPACT

There is no fiscal impact. The applicant has paid the required fees for the processing of this action.

COMMISSION OR COMMITTEE REPORT

Does not apply.

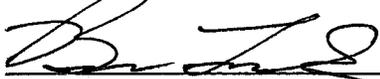
CITY ATTORNEY'S ANALYSIS

The referenced documents have been reviewed by the City Attorney and approved as to form.

RECOMMENDATION

Staff recommends that the City Council adopt a resolution vacating dedication of vehicle access rights via Ocean Ranch Boulevard to Parcel 1 of Parcel Map No. 19882 to facilitate a 40-foot-wide vehicle access between Rancho Del Oro Drive and Corporate Center Drive, and authorize the City Clerk to file a certified copy of the resolution with the San Diego County Recorder.

PREPARED BY:



Bill Tuck
Engineering Assistant II

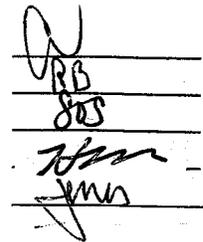
SUBMITTED BY:



Michelle Skaggs Lawrence
Interim City Manager

REVIEWED BY:

Peter A. Weiss, Assistant City Manager
Rick Brown, Interim Development Services Director
Scott O. Smith, City Engineer
Kiel Koger, Public Works Division Manager
Jane M. McPherson, Interim Financial Services Director

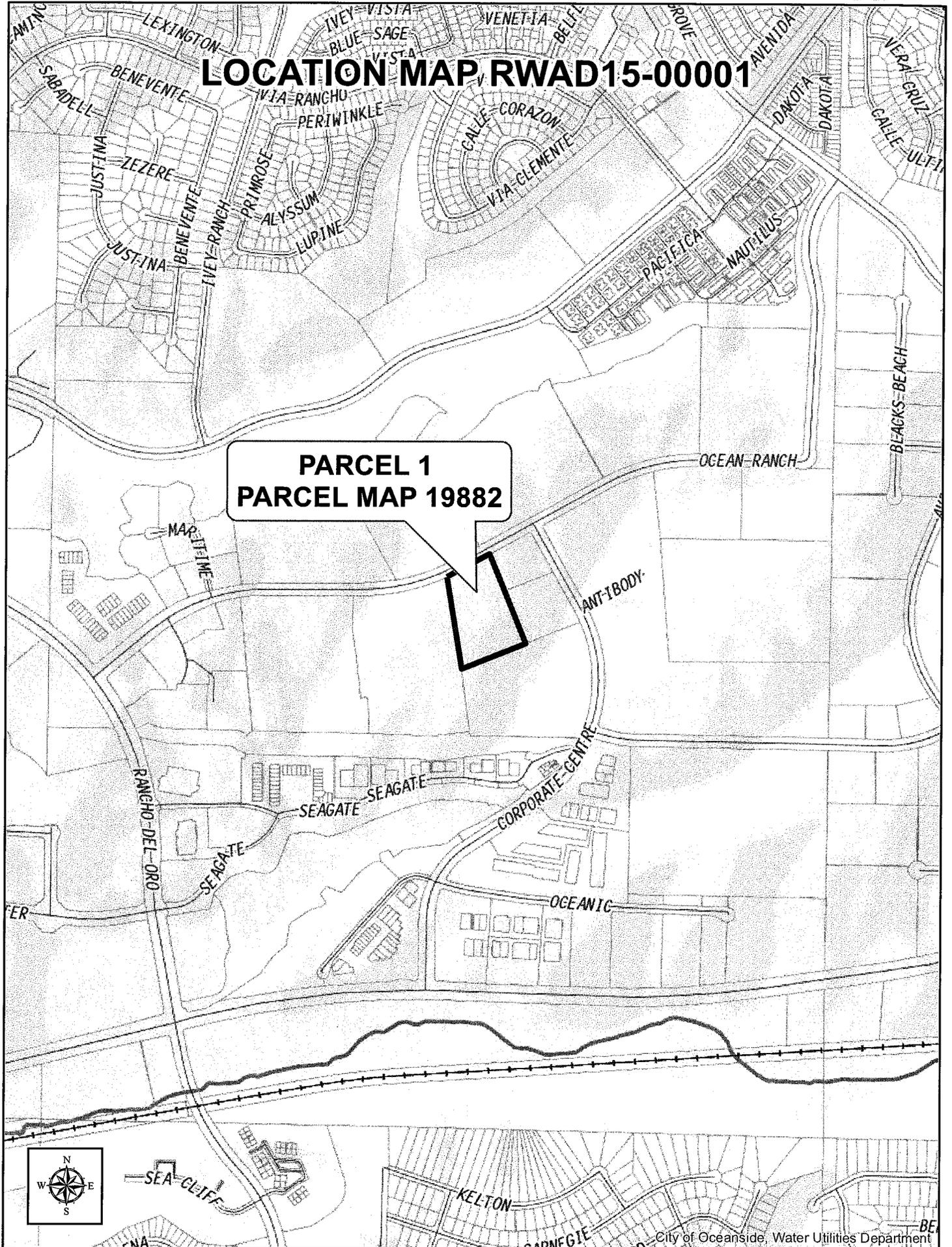


ATTACHMENTS:

1. Location Map
2. Resolution

LOCATION MAP RWAD15-00001

PARCEL 1
PARCEL MAP 19882



RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
OCEANSIDE SUMMARILY VACATING DEDICATION OF
VEHICULAR ACCESS RIGHTS VIA OCEAN RANCH
BOULEVARD TO PARCEL 1 OF MAP NO. 19882

WHEREAS, a request has been made to open a vehicular access via Ocean Ranch Boulevard Parcel 1 of Parcel Map No. 19882, recorded on the 10th day of November, 2005, as Document No. 2005-0978471; and

WHEREAS, said access was previously dedicated on Parcel Map No. 19882, pursuant to Section No. 66476 of the State of California Subdivision Map Act; and

WHEREAS, the description of the dedication to be vacated is particularly described on the attached Exhibit A and shown on attached Exhibit B; and

WHEREAS, Government Code §66477.2(c) authorizes the City Council to summarily vacate a dedication if it is no longer needed for present or prospective public use; and

WHEREAS, the dedication as described in Exhibit A and shown in Exhibit B is no longer needed for present or prospective public use; and

WHEREAS, the vacation of the dedication is in compliance with the General Plan because it encourages access to businesses in the City; and

WHEREAS, this Resolution is made pursuant to Government Code §66477.2(c) and Streets and Highway Code Section 8330 et seq; and

WHEREAS, the interests of the business community as well as the interest of the public will be served by vacating the dedication described above due to the increased access and ease of use of the property with the second access point; and

WHEREAS, after consideration of all evidence submitted this City Council does find and order as follows:

SECTION 1: That the dedication of vehicular access is hereby vacated on, over and across the vehicular access rights relinquished on said Map No. 19882 along the northerly boundary of said Parcel 1 of said Map as subsequently described in Exhibit A and shown on Exhibit B; attached hereon, and made a part hereof, and also shown on Grading Plan No.

1 G15-00004 submitted to the City, and that vehicular access is hereby granted to the owners of
2 said property on, over and across the vehicular access rights previously relinquished.

3 SECTION 2: The City Clerk is hereby ordered to file a certified copy of this Resolution
4 in the Official Records with the County Recorder of the San Diego County.

5 PASSED AND ADOPTED by the City Council of the City of Oceanside, California,
6 this _____ day of _____, 2015, by the following vote:

7 AYES:

8 NAYS:

9 ABSENT:

10 ABSTAIN:

11
12 _____
MAYOR OF THE CITY OF OCEANSIDE

13
14 ATTEST:

APPROVED AS TO FORM:

15
16 _____
CITY CLERK

17
18 _____
Brian J. Hamilton, ASST.
CITY ATTORNEY

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26 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE SUMMARILY
27 VACATING DEDICATION OF VEHICULAR ACCESS RIGHTS VIA OCEAN RANCH
28 BOULEVARD TO PARCEL 1 OF MAP NO. 19882

EXHIBIT "A"

REMANDMENT OF ACCESS RIGHTS FOR A PORTION OF OCEAN RANCH BOULEVARD

RWAD 15-00001

LEGAL DESCRIPTION

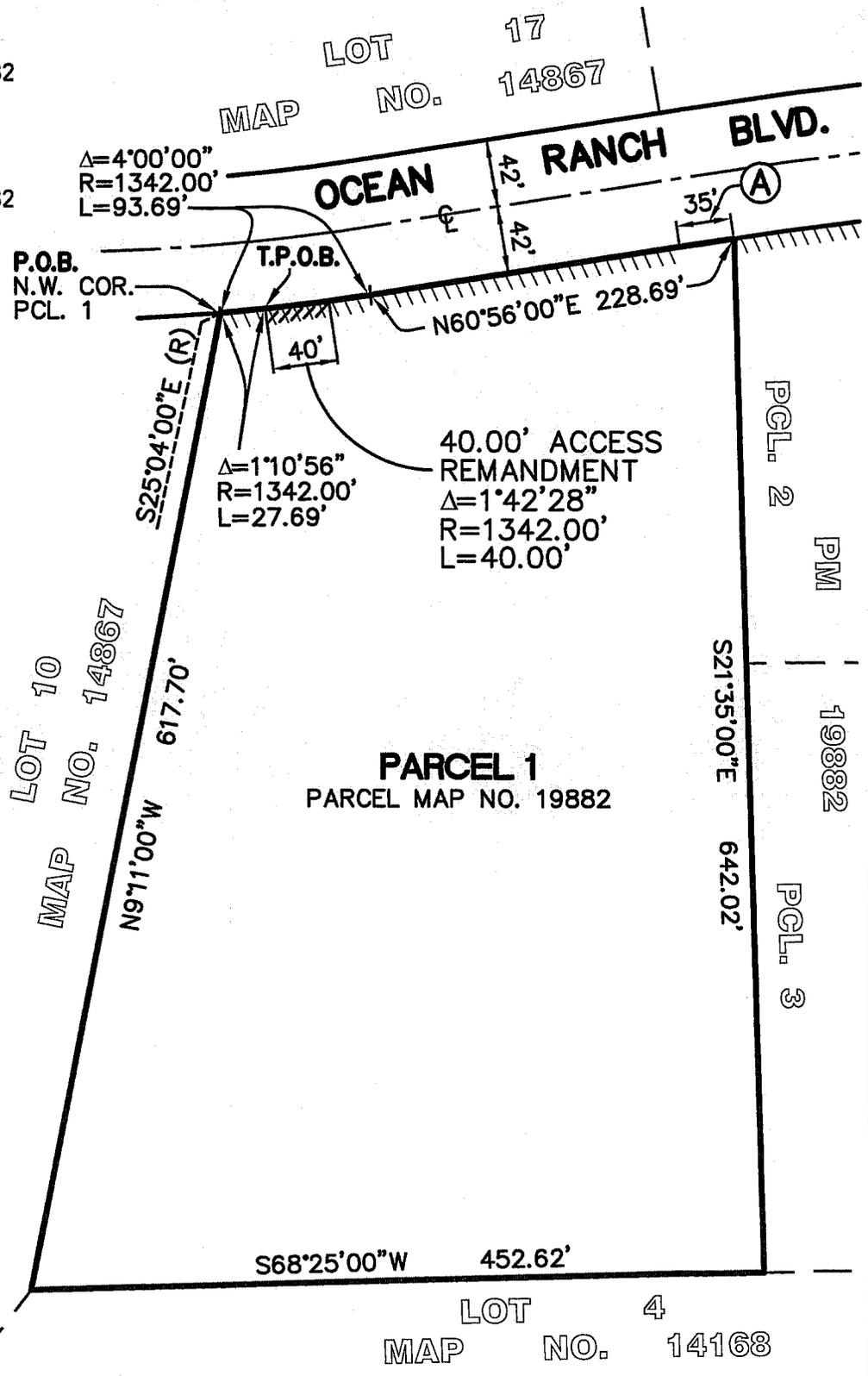
BEGINNING AT THE NORTHWEST CORNER OF PARCEL 1 OF PARCEL MAP NO. 19882, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER ON NOVEMBER 10, 2005, SAID CORNER BEING A POINT ON A CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 1342.00 FEET TO WHICH A RADIAL LINE BEARS SOUTH 25°04'00" EAST; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 1°10'56" A DISTANCE OF 27.69 FEET TO THE **TRUE POINT OF BEGINNING** FOR THE 40.00 FOOT WIDE ACCESS REMANDMENT; THENCE CONTINUING ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 1°42'28" A DISTANCE OF 40.00 FEET TO THE END OF SAID ACCESS REMANDMENT.



EXHIBIT "B"

LEGEND

-  ACCESS RIGHTS DEDICATED PER PARCEL MAP NO. 19882
-  REMANDMENT OF ACCESS RIGHTS
-  EXISTING ACCESS OPENING PER PARCEL MAP NO. 19882



SCALE: 1"=100'



4/3/2015

OWNER: INNOVATIVE DEVELOPMENT ENTERPRISES, INC.	
SITE ADDRESS: 3937 OCEAN RANCH BLVD., OCEANSIDE, CA. 92056	
ENGINEER: SPEAR & ASSOCIATES, INC.	475 PRODUCTION ST., SAN MARCOS, CA 92078 (760) 736-2040 FAX (760) 736-4866
APN# 160-571-37	FILE # RWAD 15-00001

CITY OF OCEANSIDE
ENGINEERING DIVISION
REMANDMENT OF ACCESS
PLAT

DATE: 4-3-2015 SHEET 1 OF 1