



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: February 10, 2011 **REPORT NO. PC-11-23**

ATTENTION: Planning Commission, Agenda of February 17, 2011.

SUBJECT: HOOVER HIGH EASEMENT VACATIONS –
PROJECT NO. 203240. PROCESS 5.

**OWNER/
APPLICANT:** San Diego High School District & San Diego Unified School District
(Attachment 11)

SUMMARY

Issue(s) - Should the Planning Commission recommend City Council approval to vacate water and sewer easements at 4330 46th Street within the Kensington Talmadge neighborhood of the Mid-City Community Plan?

Staff Recommendation: **Approve** Water Easement Vacation No. 726109, Sewer and Water Easement Vacation No. 721020 and Water Easement Vacation No. 726110.

Community Planning Group Recommendation - On September 8, 2010 the Kensington-Talmadge Planning Group unanimously recommended approval of the project.

Environmental Review - This project is exempt from CEQA pursuant to State CEQA Guidelines Section 15305 (Minor Alterations in Land Use Limitations). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on May 7, 2010, and the opportunity to appeal that determination ended May 28, 2010.

Fiscal Impact Statement - No fiscal impact. All costs associated with the processing of the application are recovered through a deposit account funded by the applicant.

Code Enforcement Impact - None with this action.

Housing Impact Statement - None with this action.

BACKGROUND

The Mid-City Community Plan identifies the Hoover High School site for public school (Attachment 1). Hoover High School consists of 24.91 acres (Attachment 2). The High School was originally built in 1938. When the High School was first opened there were approximately 1,200 students. At present there are approximately 2,000 students. Currently there is one building under construction, a new woodshop building. A proposed construction project, the Athletic Facilities- ADA upgrades is schedule to start in April of 2011. Hoover High School is located north of El Cajon Boulevard between Highland Avenue and 46th. Street (Attachment 3).

As the existing easements contain active public facilities the vacation process requires the Planning Commission to make a recommendation to the City Council, in conformance with the California Streets and Highways Code.

DISCUSSION

Project Description

The proposed action is the vacation of two water easements and a sewer and water easement (Attachments 4, 5 and 6). The water easement described by Attachment 4 was recorded on May 12, 1975 as Instrument No. 75-113668. This existing water easement measures twenty feet wide and is twenty-five feet in length as shown on drawing 21123-B. The sewer and water easement described by Attachment 5 was recorded on June 24, 1952 as Document No. 76443. This existing sewer and water easement measures twenty feet wide and is 405 feet in length as shown on drawing 21124-B. The water easement described by Attachment 6 was recorded on July 26, 1976 as Instrument No. 76-236514. This existing water easement is in two parts and measures ten and eighteen feet wide and each part is ten feet in length as shown on drawing 21125-B. The easements cross the school property in a north south direction from Chamoune Avenue towards Monroe Avenue.

The school district is planning to construct a new parking lot within the school property. The existing sewer and water easements are within the area proposed for the new parking lot. The water and sewer lines within the easement are currently active, yet the sewer line has been privatized and is not a public sewer. If the easement vacation is approved, the existing active water line would be converted to a private fire service line for the existing fire hydrant serving the school; and the existing water meters on Chamoune Avenue would be removed. Per the City drawings this active water line also contains water laterals. It is not known at this time if these laterals are active. If they are active these would serve only the school. New domestic water and irrigation meters on Norwood Street would reconnect water service to the campus. The school district would maintain all private water services. No other actions would result from the approval of the easement vacations.

Community Plan Analysis

The Mid-City Community Plan identifies the Hoover High School site for public school (Attachment 1). The site is located in the Kensington Talmadge neighborhood of the Mid-City

Community Plan. The Hoover High School site is located in the southwest quadrant of the Talmadge neighborhood along El Cajon Boulevard east of Highland Avenue, west of 46th Street and south of Monroe Avenue. The land uses surrounding the school are single family residential on the north, single and multiple family residential and commercial on the west and east, and commercial on the south. The proposed easement vacations would facilitate the development of additional parking on the school campus. The project is consistent with, and supports, the goals and policies of the Mid-City Community Plan in that the proposed easement vacations would aid in the provision of adequate school facilities for all residents of Mid-City, including the opportunity for those enrolled elsewhere to attend local public schools.

Required Findings

The approval of the easement vacation requires four findings to be affirmed by a positive declaration of facts. Those findings are: (a) There is no present or prospective use for the easement, either for the facility or purpose for which it was originally acquired, or for any other public use of a like nature that can be anticipated; (b) The public will benefit from the abandonment through improved utilization of the land made available by the abandonment; (c) The abandonment is consistent with any applicable land use plan; and (d) The public facility or purpose for which the easement was originally acquired will not be detrimentally affected by this abandonment or the purpose for which the easement was acquired no longer exists.

The draft Vacation Resolutions with Findings are provided as Attachments 7, 8 and 9 of this report. The draft findings present a positive declaration of facts affirming the proposed easement vacation would be consistent with the required criteria to vacate the easement.

Conclusion

Staff has reviewed the proposed project and all issues identified through the review process have been resolved in conformance with adopted City Council policies and regulations of the Land Development Code. Staff has provided draft findings to support approval of the proposed easement vacations (Attachments 7, 8 and 9). Staff is recommending the Planning Commission recommend the City Council approve the project as proposed.

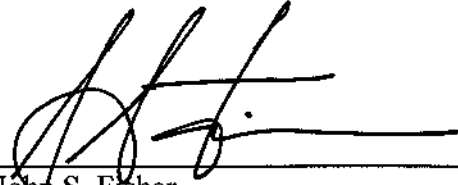
ALTERNATIVES

1. **Approve** Water Easement Vacation No. 726109, Sewer and Water Easement Vacation No. 721020 and Water Easement Vacation No. 726110, **with modifications.**
2. **Deny** Water Easement Vacation No. 726109, Sewer and Water Easement Vacation No. 721020 and Water Easement Vacation No. 726110, **if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



Mike Westlake
Program Manager
Development Services Department



John S. Fisher
Development Project Manager
Development Services Department

BROUGHTON:JSF

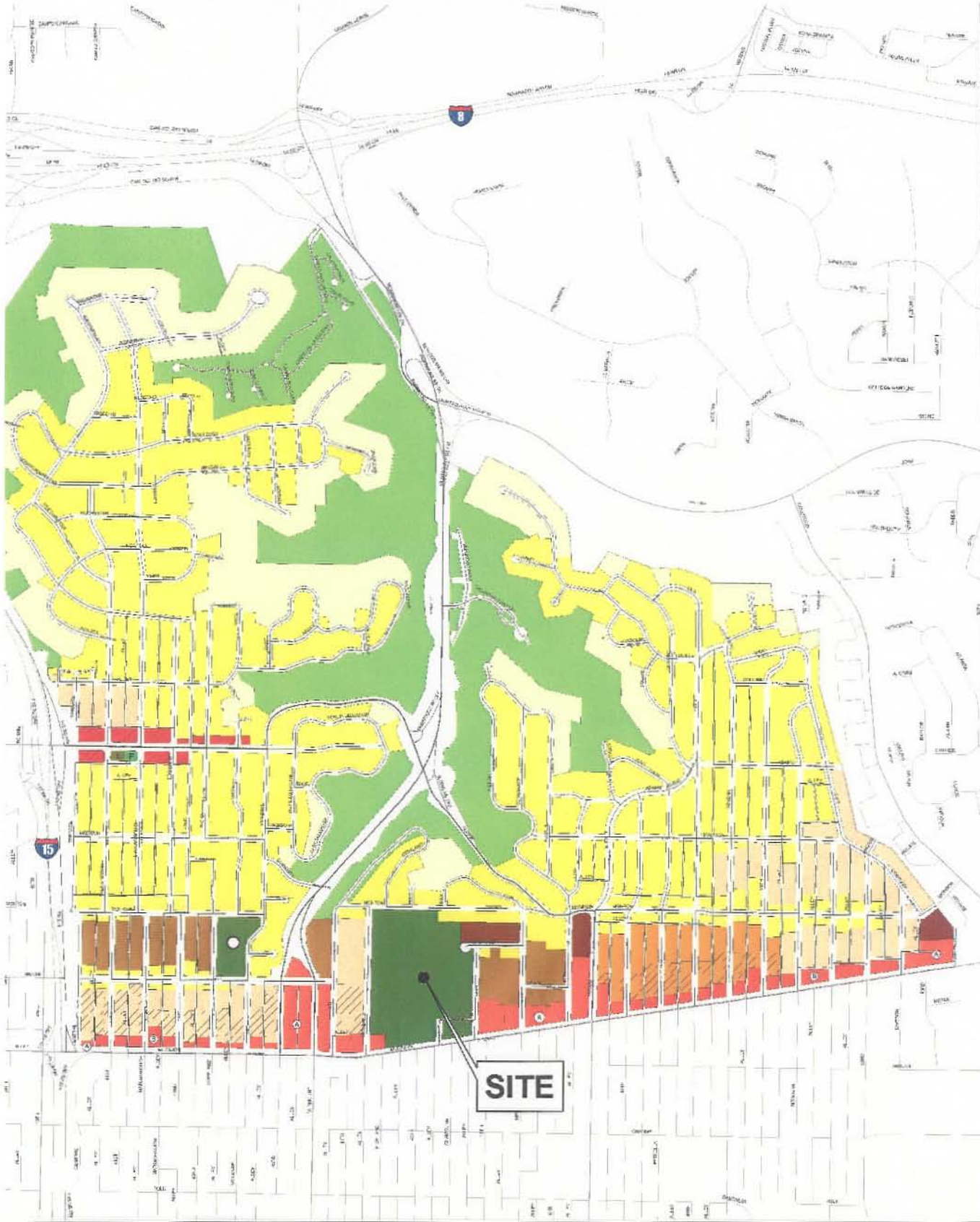
Attachments:

1. Community Plan Land Use Map
2. Aerial Photograph
3. Project Location Map
4. Water easement drawing 21123-B
5. Sewer and water easement drawing 21124-B
6. Water easement drawing 21125-B
7. Draft Water Easement Vacation Resolution with Findings
8. Draft Sewer and Water Easement Vacation Resolution with Findings
9. Draft Water Easement Vacation Resolution with Findings
10. Community Planning Group Recommendation
11. Ownership Disclosure Statement
12. Project Chronology



City of San Diego Planning Department

Kensington-Talmadge Community Plan Land Use



Legend

- Residential (1-5)
- Residential (6-1)
- Residential (11-
- Residential (16-
- Residential (21-
- Residential (26-
- Commercial/Mb
- Commercial/Mb
- Commercial/Mb
- P Park
- Open Space
- L Library
- School
- O Elk
- Commercial/Re

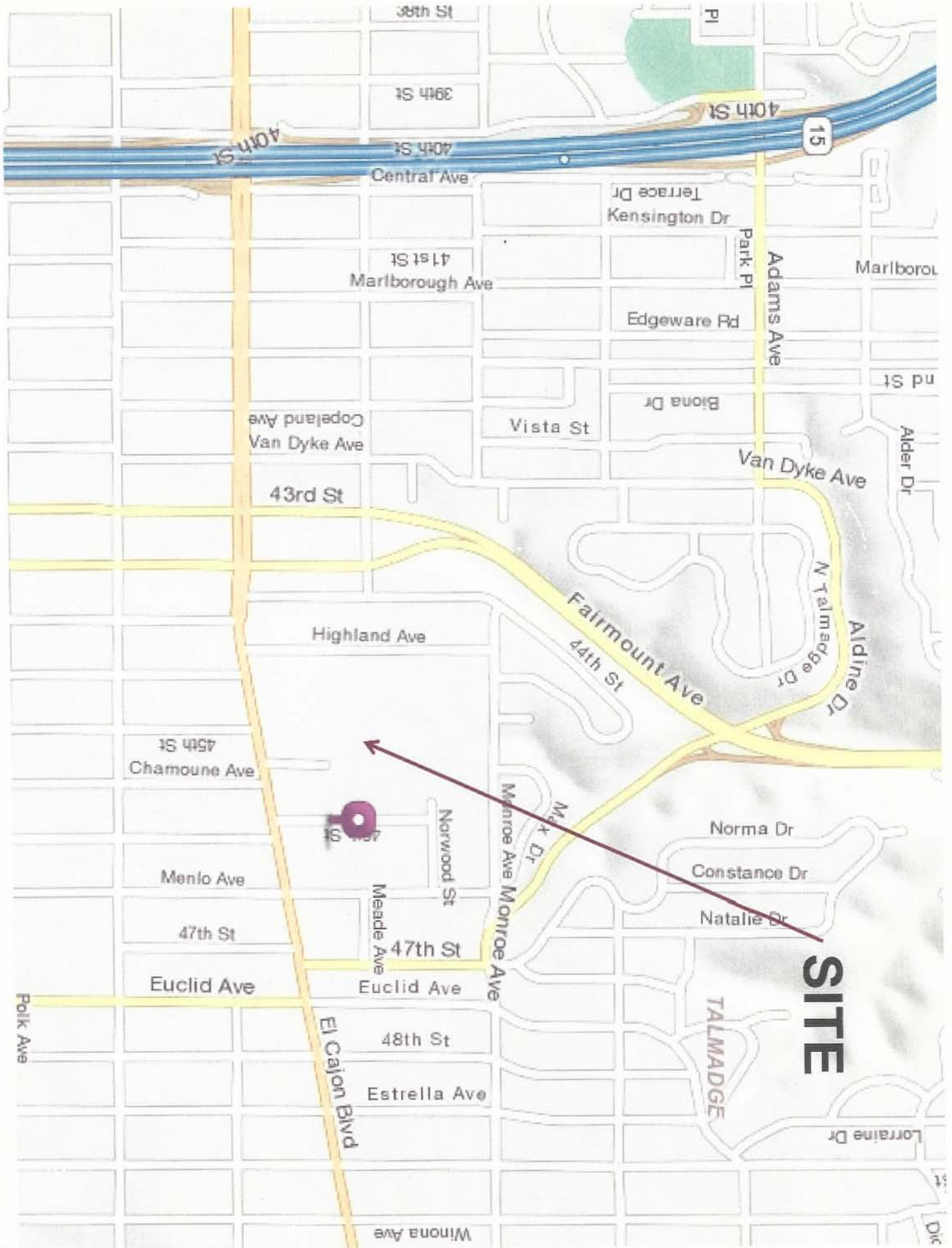
* In areas where residential use is permitted, a mixed-use bonus is available.



SITE

SanGIS
 THIS MAP IS PROVIDED WITHOUT WARRANTY OF ANY KIND, INCLUDING MERCHANTABILITY. THE USER ASSUMES ALL LIABILITY FOR ANY DAMAGE OR LOSS OF DATA. THE USER ASSUMES ALL LIABILITY FOR ANY DAMAGE OR LOSS OF DATA.
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 This product may contain information that is confidential or otherwise restricted by law.





SITE

VICINITY MAP
NO SCALE

ASSESSOR'S PARCEL NO.
471-160-16

LEGEND
WATER EASEMENT VACATED (500 SQ. FT = 0.01 AC)

REFERENCE
MAP NO. 1294
CITY STD. DWG. NO. 13320-2-B

LOT 3 BLOCK 1
MAP 1294

VACATED PER
RESOLUTION NO. 213177,
ADOPTED MAY 1, 1975,
RECORDED MAY 12 1975 AS
DOC NO. 75-113668, O.R.

UN-NAMED ALLEY
CLOSED

CHAMOUNE
DEDICATED PER
MAP NO. 1294

SCALE: 1"=20'

AVENUE

CLOSED PER
RESOLUTION NO. 106034,
MARCH 25, 1952.

SEWER & WATER FSMT. REC.
JUNE 24, 1952 AS
DOCUMENT NO. 76443, BK.
4505, PG 7, O.R.

EDGEMONT
MAP 1294
LOT 17 BLOCK 2

THE CITY OF SAN DIEGO
WATER EASEMENT, RECORDED
MAY 12, 1975 AS INSTRUMENT
NO. 75-113668 O.R., VACATED
(CITY DWG. NO. 13320-2-B)

UN-NAMED ALLEY
DEDICATED PER MAP
NO. 1294

burkett & wong
engineers & surveyors
3434 fourth ave. san diego ca.
92103-5704 * (619) 299-5550

CRL 12/17/2010
CASEY R. LYNCH LS 8380 DATE

**WATER EASEMENT VACATION
WITHIN CHAMOUNE AVE. CLOSED - NORTH OF EL CAJON BLVD.**

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA SHEET 1 OF 1 SHEET	PTS NO. 203240
ORIGINAL						
					FOR CITY ENGINEER	1856-6301
					DATE	CCS-83 COORDINATES
						216-1739
						LAMBERT COORDINATES
					STATUS	21123-B

VICINITY MAP
NO SCALE

ASSESSOR'S PARCEL NO.
471-160-16

LEGEND
SEWER & WATER EASEMENT VACATED (8,100 SQ. FT = 0.186 AC)

REFERENCE
MAP NO. 1294

LICENSED LAND SURVEYOR
CASEY R. LYNCH
No. 8860
STATE OF CALIFORNIA

SEE SHEET TWO

EDGEMONT MAP 1294 LOT 3 BLOCK 1

EDGEMONT MAP 1294 LOT 17 BLOCK 2

THE CITY OF SAN DIEGO
SEWER AND WATER EASEMENT
PER DOC. NO. 76443, BK. 4505
PG. 7, RECORDED JUNE 24, 1952,
O.R., VACATED

VACATED PER
RESOLUTION NO. 213177,
ADOPTED MAY 1, 1975,
RECORDED MAY 12 1975 AS
DOC NO. 75-113668, O.R.

UN-NAMED ALLEY CLOSED

UN-NAMED ALLEY
DEDICATED PER MAP NO. 1294

CHAMOUNE AVENUE
DEDICATED PER MAP NO. 1294

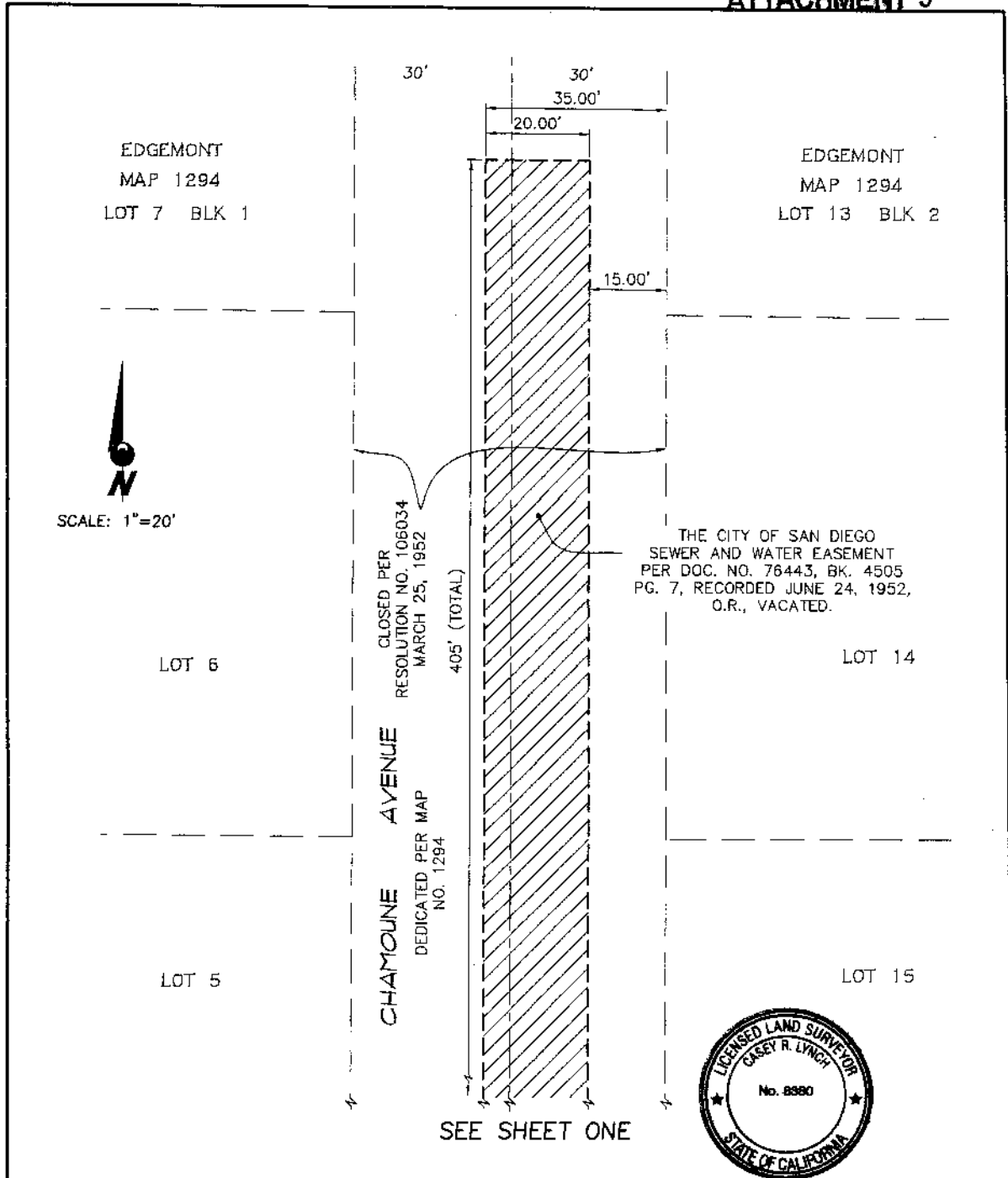
CLOSED PER RESOLUTION NO. 106034 MARCH 25, 1952 405' (TOTAL)

burkett & wong
engineers & surveyors
3434 fourth ave. san diego ca.
92103-5704 * (619) 299-5550

[Signature] 12/17/2010
CASEY R. LYNCH LS 8380 DATE

**SEWER AND WATER EASEMENT VACATION
WITHIN CHAMOUNE AVE. CLOSED - NORTH OF EL CAJON BLVD.**

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA SHEET 1 OF 2 SHEETS	PTS NO. 203240
ORIGINAL						1856-6301
					FOR CITY ENGINEER	CCS83 COORDINATES
					DATE	216-1739
						LAMBERT COORDINATES
					STATUS	21124-1-B

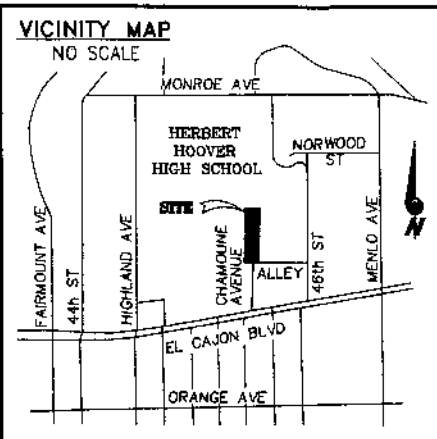


burkett & wong
engineers & surveyors
3434 fourth ave. san diego ca.
92103-5704 * (619) 299-5550

[Signature] 12/17/2010
CASEY R. LYNCH LS 8380 DATE


SEWER AND WATER EASEMENT VACATION
WITHIN CHAMOUNE AVE. CLOSED - NORTH OF EL CAJON BLVD.

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA SHEET 2 OF 2 SHEETS	PTS NO. 203240
ORIGINAL						1856-6301
					FOR CITY ENGINEER	CCS83 COORDINATES
					DATE	216-1739
						LAMBERT COORDINATES
					STATUS	21124-2-B

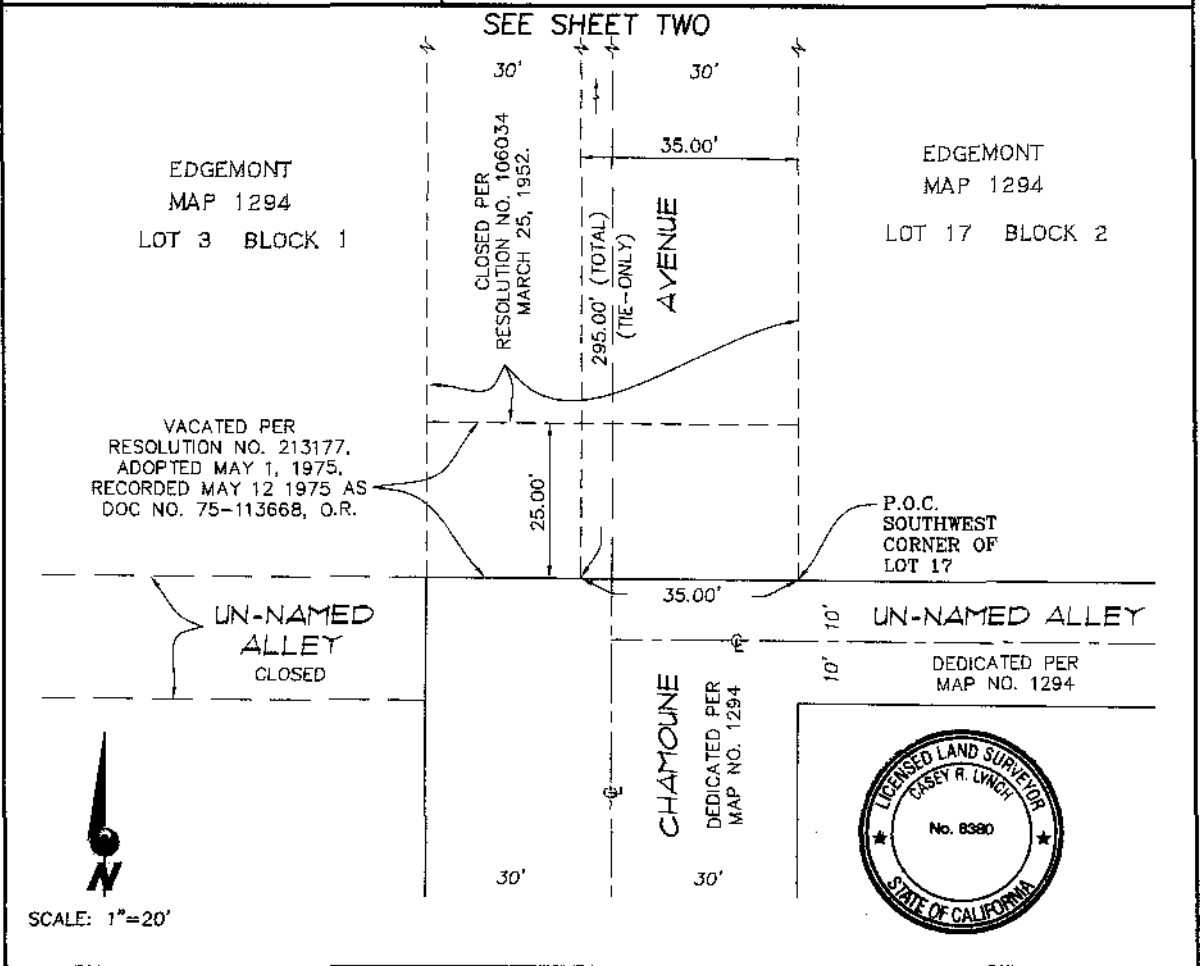


ASSESSOR'S PARCEL NO.
471-160-16

LEGEND

WATERMAIN EASEMENT VACATED 
(280 SQ. FT = 0.01 AC)
POINT OF COMMENCEMENT P.O.C.
TRUE POINT OF BEGINNING T.P.O.B.

REFERENCE
MAP NO. 1294

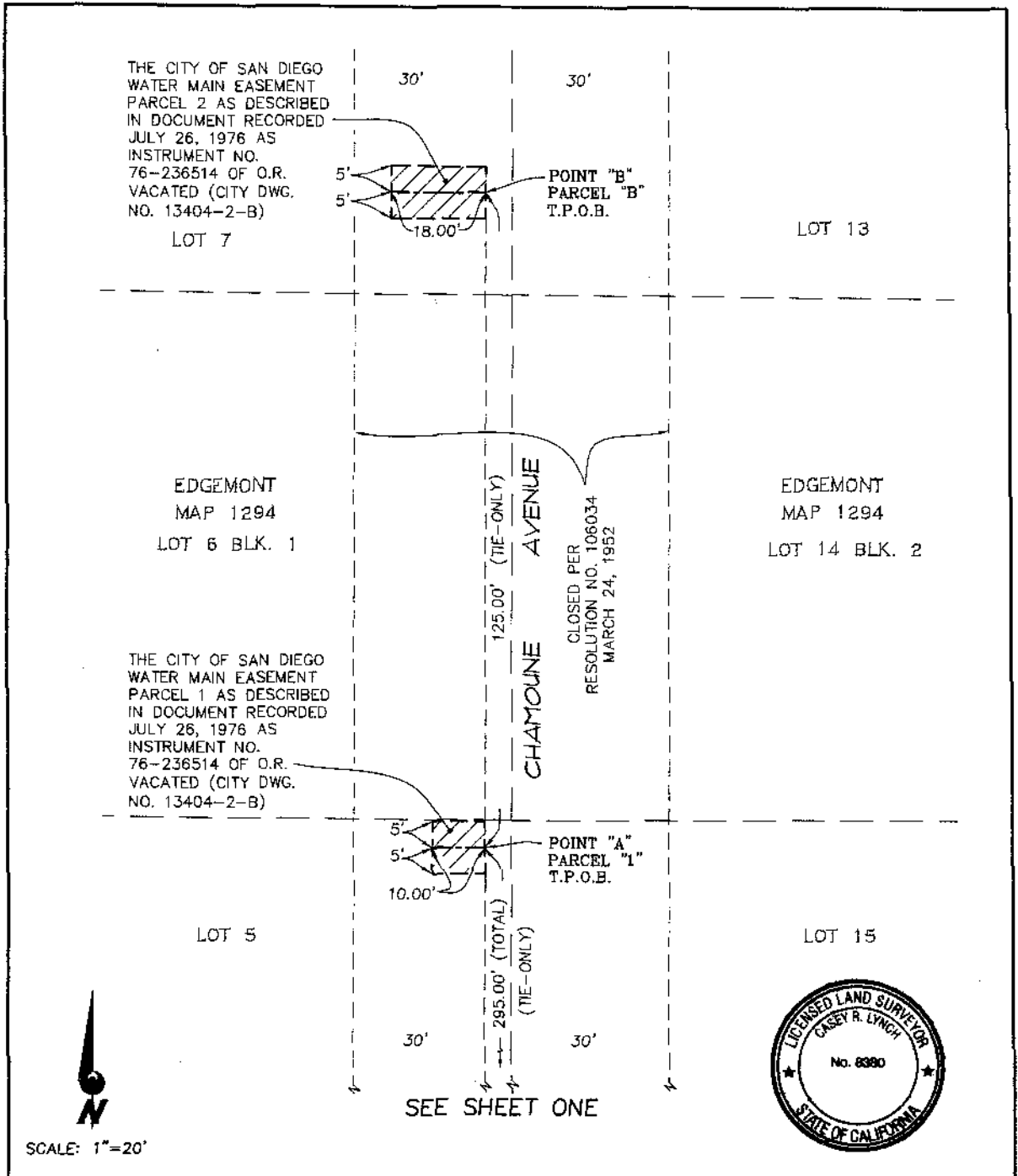


burkett & wong
engineers & surveyors
3434 fourth ave. san diego ca.
92103-5704 * (619) 299-5550

CJL 12/17/2010
CASEY R. LYNCH LS 8380 DATE

**WATER MAIN EASEMENT VACATION
WITHIN CHAMOUNE AVE. CLOSED - NORTH OF EL CAJON BLVD.**

DESCRIPTION	BY	APPROVED	DATE	FILED	CITY OF SAN DIEGO, CALIFORNIA SHEET 1 OF 2 SHEETS	PTS NO. 203240
ORIGINAL						1856-6301
					FOR CITY ENGINEER	DATE
						216-1739
						LAMBERT COORDINATES
						21125-1-B
					STATUS	



burkett & wong
engineers & surveyors
3434 fourth ave. san diego ca.
92103-5704 * (619) 299-5550

Casey R. Lynch 12/22/2010
CASEY R. LYNCH LS 8380 DATE

WATER MAIN EASEMENT VACATION
WITHIN CHAMOUNE AVE. CLOSED - NORTH OF EL CAJON BLVD.

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA SHEET 2 OF 2 SHEETS	PTS NO. 203240
ORIGINAL						
					FOR CITY ENGINEER	1856-6301 CCSB3 COORDINATES
					DATE	216-1739 LAMBERT COORDINATES
					STATUS	21125-2-B

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

VACATION OF WATER EASEMENT WITHIN CHAMOUNE
AVENUE (CLOSED), NORTH OF EL CAJON BOULEVARD

WHEREAS, California Streets and Highways Code section 8320 *et seq.* San Diego Municipal Code section 125.1001 *et seq.* provide a procedure for the vacation of public easements by City Council resolution; and

WHEREAS, it is proposed that Water Easement No. 726109 be vacated; and

WHEREAS, under Charter Section 280(a)(2), this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body, a public hearing was required by law implicating due process rights of individuals affected by the decision, and the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, the City Council adopted a Resolution of Intention which declares that it intends to vacate a water easement, sewer and water easement, and another water easement; and

WHEREAS, the matter was set for public hearing on (to be filled in), 2011, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that with respect to water easement within Chamoune Avenue (closed) north of El Cajon Boulevard, the Council finds that:

(a) There is no present or prospective use for the easement, either for the facility or purpose for which it was originally acquired, or for any other public use of a like nature that can be anticipated.

In that the current water easement will be replaced by a private water facility providing fire service to the school, the present easement and improvement will no longer be necessary. The existing water easement will have no prospective use. The water needs of the community will be served by other improvements both public and private in the community. There is no other public use of a similar nature designated in the adopted Mid-City Community Plan or General Plan that can reasonably be anticipated.

(b) The public will benefit from the abandonment through improved utilization of the land made available by the abandonment.

Presently that portion of property which has the water easement over it is limited by the existence of the water easement in that the properties must comply with the restrictions imposed by the easement and these limitations restrict school development on the property, thus the water easement is effectively a site constrain which limits the amount of the property that may be devoted to public school service. The adopted Mid-City Community Plan designates these sites for public high school facilities. Without the vacation of the water easement new parking facilities would not be allowed over the easement and other portions of the high school site would have to be utilized for parking which may eliminate other vital school functions and programs. Without the continuing development of the high school property improvements to serve the children attending the high school may not occur for the betterment of the children and society as a whole and or positively influence the economic, social, spiritual development opportunities and life enhancing services within the City. The public will benefit by the vacation of the water easement through the continuing development of the high school property to serve the needs of the students.

(c) The abandonment is consistent with any applicable land use plan.

The adopted Mid-City Community Plan identifies this property for public high school development. The vacation of the water easement will facilitate the continued development of the site at an intensity and density recommended by the adopted Mid-City Community Plan and without the vacation of the water easement the recommended intensity and density for the high school site as identified by the Mid-City Community Plan would not be as great. For these reasons the proposed vacation of the water easement is consistent with the policies and goals of the adopted Mid-City Community Plan.

(d) The public facility or purpose for which the easement was originally acquired will not be detrimentally affected by this abandonment or the purpose for which the easement was acquired no longer exists.

The water easement was acquired for the purposes of providing water service to the high school and maintaining the public health of the students, faculty and administrators as well as visitors and other employees. With the conversion of the water improvement to a private water facility, the existing easement will have no prospective use. There is no other use of a like nature for this specific easement which can be reasonably anticipated and the purpose for which the easement was originally acquired will no longer exist. With the conversion of the water improvement to a private water facility, the water needs of the school will continue to be served and the purpose for which the easement was acquired will cease its material necessity to meet the water needs of the neighborhood.

BE IT FURTHER RESOLVED, that the water easement located within Chamoune Avenue (closed) north of El Cajon Boulevard, as more particularly described in the legal description marked as Exhibit "A," and shown on Drawing No. 21123-B, marked as Exhibit "B," which are by this reference incorporated herein and made a part hereof, is ordered vacated.

BE IT FURTHER RESOLVED, that the Development Services Department shall record a certified copy of this resolution with attached exhibits, attested by the City Clerk under seal, in the office of the County Recorder.

APPROVED: JAN GOLDSMITH, City Attorney

By _____
Keith Bauerle
Deputy City Attorney

[Initials]:[Initials]
[Month]/[Day]/[Year]
Or.Dept:[Dept]
JO: 24000581
Drawing No. 21123-B

R-
Reviewed by John S. Fisher

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

VACATION OF WATER EASEMENT AND SEWER
EASEMENT WITHIN CHAMOUNE AVENUE (CLOSED),
NORTH OF EL CAJON BOULEVARD

WHEREAS, California Streets and Highways Code section 8320 *et seq.* San Diego Municipal Code section 125.1001 *et seq.* provide a procedure for the vacation of public easements by City Council resolution; and

WHEREAS, it is proposed that Water and Sewer Easement No. 721020 be vacated; and

WHEREAS, under Charter Section 280(a)(2), this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body, a public hearing was required by law implicating due process rights of individuals affected by the decision, and the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, the City Council adopted a Resolution of Intention which declares that it intends to vacate a water easement, sewer and water easement, and another water easement; and

WHEREAS, the matter was set for public hearing on (to be filled in), 2011, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that with respect to water easement within Chamoune Avenue (closed) north of El Cajon Boulevard, the Council finds that:

(a) There is no present or prospective use for the easement, either for the facility or purpose for which it was originally acquired, or for any other public use of a like nature that can be anticipated.

In that the current water and sewer easement will be replaced by a private water facility providing fire service to the school and the sewer service has been privatized, the present easement and improvement will no longer be necessary. The existing water and sewer easement will have no prospective use. The water and sewer needs of the community will be served by other improvements both public and private in the community. There is no other public use of a similar nature designated in the adopted Mid-City Community Plan or General Plan that can reasonably be anticipated.

(b) The public will benefit from the abandonment through improved utilization of the land made available by the abandonment.

Presently that portion of property which has the water and sewer easement over it is limited by the existence of the water and sewer easement in that the properties must comply with the restrictions imposed by the easement and these limitations restrict school development on the property, thus the water and sewer easement is effectively a site constrain which limits the amount of the property that may be devoted to public school service. The adopted Mid-City Community Plan designates these sites for public high school facilities. Without the vacation of the water and sewer easement new parking facilities would not be allowed over the easement and other portions of the high school site would have to be utilized for parking which may eliminate other vital school functions and programs. Without the continuing development of the high school property improvements to serve the children attending the high school may not occur for the betterment of the children and society as a whole and or positively influence the economic, social, spiritual development opportunities and life enhancing services within the City. The public will benefit by the vacation of the water and sewer easement through the continuing development of the high school property to serve the needs of the students.

(c) The abandonment is consistent with any applicable land use plan.

The adopted Mid-City Community Plan identifies this property for public high school development. The vacation of the water and sewer easement will facilitate the continued development of the site at an intensity and density recommended by the adopted Mid-City Community Plan and without the vacation of the water and sewer easement the recommended intensity and density for the high school site as identified by the Mid-City Community Plan would not be as great. For these reasons the proposed vacation of the water and sewer easement is consistent with the policies and goals of the adopted Mid-City Community Plan.

(d) The public facility or purpose for which the easement was originally acquired will not be detrimentally affected by this abandonment or the purpose for which the easement was acquired no longer exists.

The water and sewer easement was acquired for the purposes of providing water service to the high school and maintaining the public health of the students, faculty and administrators as well as visitors and other employees. With the conversion of the water improvement to a private water facility, the existing easement will have no prospective use. There is no other use of a like nature for this specific easement which can be reasonably anticipated and the purpose for which the easement was originally acquired will no longer exist. With the conversion of the water and sewer improvements to private facilities, the water and sewer needs of the school will continue to be served and the purpose for which the easement was acquired will cease its material necessity to meet the water and sewer needs of the neighborhood.

BE IT FURTHER RESOLVED, that the water and sewer easement located within Chamoune Avenue (closed) north of El Cajon Boulevard, as more particularly described in the legal description marked as Exhibit "A," and shown on Drawing No. 21124-B, marked as Exhibit "B," which are by this reference incorporated herein and made a part hereof, is ordered vacated.

BE IT FURTHER RESOLVED, that the Development Services Department shall record a certified copy of this resolution with attached exhibits, attested by the City Clerk under seal, in the office of the County Recorder.

APPROVED: JAN GOLDSMITH, City Attorney

By _____
Keith Bauerle
Deputy City Attorney

[Initials]:[Initials]
[Month]/[Day]/[Year]

Or.Dept:[Dept]

JO: 24000581

Drawing No. 21124-B

R-

Reviewed by John S. Fisher

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

VACATION OF WATER EASEMENT WITHIN CHAMOUNE AVENUE (CLOSED), NORTH OF EL CAJON BOULEVARD

WHEREAS, California Streets and Highways Code section 8320 *et seq.* San Diego Municipal Code section 125.1001 *et seq.* provide a procedure for the vacation of public easements by City Council resolution; and

WHEREAS, it is proposed that Water Easement No. 726110 be vacated; and

WHEREAS, under Charter Section 280(a)(2), this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body, a public hearing was required by law implicating due process rights of individuals affected by the decision, and the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, the City Council adopted a Resolution of Intention which declares that it intends to vacate a water easement, sewer and water easement, and another water easement; and

WHEREAS, the matter was set for public hearing on (to be filled in), 2011, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that with respect to water easement within Chamoune Avenue (closed) north of El Cajon Boulevard, the Council finds that:

(a) There is no present or prospective use for the easement, either for the facility or purpose for which it was originally acquired, or for any other public use of a like nature that can be anticipated.

The current water easement is no longer needed as it will be abandoned and is not needed to provide water service to the high school and the existing water meters on Chamoune will be removed. As such the present easement and improvement will no longer be necessary. The existing water easement will have no prospective use. The water needs of the high school and community will be served by other improvements both public and private in the community. There is no other public use of a similar nature designated in the adopted Mid-City Community Plan or General Plan that can reasonably be anticipated.

(b) The public will benefit from the abandonment through improved utilization of the land made available by the abandonment.

Presently that portion of property which has the water easement over it is limited by the existence of the water easement in that the properties must comply with the restrictions imposed by the easement and these limitations restrict school development on the property, thus the water easement is effectively a site constrain which limits the amount of the property that may be devoted to public school service. The adopted Mid-City Community Plan designates these sites for public high school facilities. Without the vacation of the water easement new parking facilities would not be allowed over the easement and other portions of the high school site would have to be utilized for parking which may eliminate other vital school functions and programs. Without the continuing development of the high school property improvements to serve the children attending the high school may not occur for the betterment of the children and society as a whole and or positively influence the economic, social, spiritual development opportunities and life enhancing services within the City. The public will benefit by the vacation of the water easement through the continuing development of the high school property to serve the needs of the students.

(c) The abandonment is consistent with any applicable land use plan.

The adopted Mid-City Community Plan identifies this property for public high school development. The vacation of the water easement will facilitate the continued development of the site at an intensity and density recommended by the adopted Mid-City Community Plan and without the vacation of the water easement the recommended intensity and density for the high school site as identified by the Mid-City Community Plan would not be as great. For these reasons the proposed vacation of the water easement is consistent with the policies and goals of the adopted Mid-City Community Plan.

(d) The public facility or purpose for which the easement was originally acquired will not be detrimentally affected by this abandonment or the purpose for which the easement was acquired no longer exists.

The water easement was acquired for the purposes of providing water service to the high school and maintaining the public health of the students, faculty and administrators as well as visitors and other employees. With the conversion of the water improvement to a private water facility, the existing easement will have no prospective use. There is no other use of a like nature for this specific easement which can be reasonably anticipated and the purpose for which the easement was originally acquired will no longer exist. With the conversion of the water improvement to a private water facility, the water needs of the school will continue to be served and the purpose for which the easement was acquired will cease its material necessity to meet the water needs of the neighborhood.

BE IT FURTHER RESOLVED, that the water easement located within Chamoune Avenue (closed) north of El Cajon Boulevard, as more particularly described in the legal description marked as Exhibit "A," and shown on Drawing No. 21125-B, marked as Exhibit "B," which are by this reference incorporated herein and made a part hereof, is ordered vacated.

BE IT FURTHER RESOLVED, that the Development Services Department shall record a certified copy of this resolution with attached exhibits, attested by the City Clerk under seal, in the office of the County Recorder.

APPROVED: JAN GOLDSMITH, City Attorney

By _____
Keith Bauerle
Deputy City Attorney

[Initials]:[Initials]
[Month]/[Day]/[Year]
Or.Dept:[Dept]
JO: 24000581
Drawing No. 21125-B

R-
Reviewed by John S. Fisher



City of San Diego
Development Services
1222 First Ave., MS-302
San Diego, CA 92101

THE CITY OF SAN DIEGO

Community Planning Committee Distribution Form Part 2

Project Name: Hoover High Easement Vacation		Project Number: 203240	Distribution Date:	
Project Scope/Location:				
Applicant Name:			Applicant Phone Number:	
Project Manager: John Fisher	Phone Number: (619) 446-5231	Fax Number: (619) 446-5245	E-mail Address: jsfisher@sandiego.gov	
Committee Recommendations (To be completed for Initial Review): Approval for the easement vacation at Hoover High				
<input checked="" type="checkbox"/> Vote to Approve	Members Yes 13	Members No 0	Members Abstain 0	
<input type="checkbox"/> Vote to Approve With Conditions Listed Below	Members Yes	Members No	Members Abstain	
<input type="checkbox"/> Vote to Approve With Non-Binding Recommendations Listed Below	Members Yes	Members No	Members Abstain	
<input type="checkbox"/> Vote to Deny	Members Yes	Members No	Members Abstain	
<input type="checkbox"/> No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)			<input type="checkbox"/> Continued	
CONDITIONS: None				
NAME: Thomas Adam		TITLE: Chair, Ken-Tal Project Review		
SIGNATURE: <i>Thomas Adam</i>		DATE: September 9, 2010		
<i>Attach Additional Pages If Necessary.</i>		Please Return Within 30 Days of Distribution of Project Plans To: Project Management Division City of San Diego Development Services Department 1222 First Avenue, MS 302 San Diego, CA 92101		
Printed on recycled paper. Visit our web site at www.sandiego.gov/development-services . Upon request, this information is available in alternative formats for persons with disabilities.				



City of San Diego
 Development Services
 1222 First Ave., MS-302
 San Diego, CA 92101
 (619) 446-5000

Ownership Disclosure Statement

Approval Type: Check appropriate box for type of approval (s) requested: Neighborhood Use Permit Coastal Development Permit
 Neighborhood Development Permit Site Development Permit Planned Development Permit Conditional Use Permit
 Variance Tentative Map Vesting Tentative Map Map Waiver Land Use Plan Amendment Other Easement Vacation

Project Title: Herbert Hoover High School
 Project No. For City Use Only: 203240

Project Address:
 4474 El Cajon Blvd, San Diego CA 92111

Part I - To be completed when property is held by individual(s)

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property, with the intent to record an encumbrance against the property. Please list below the owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Additional pages attached Yes No

Name of Individual (type or print): _____
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: _____
 City/State/Zip: _____
 Phone No: _____ Fax No: _____
 Signature: _____ Date: _____

Name of Individual (type or print): _____
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: _____
 City/State/Zip: _____
 Phone No: _____ Fax No: _____
 Signature: _____ Date: _____

Name of Individual (type or print): _____
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: _____
 City/State/Zip: _____
 Phone No: _____ Fax No: _____
 Signature: _____ Date: _____

Name of Individual (type or print): _____
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: _____
 City/State/Zip: _____
 Phone No: _____ Fax No: _____
 Signature: _____ Date: _____

Project Title: Herbert Hoover High School	Project No. (For City Use Only)
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Part II - To be completed when property is held by a corporation or partnership

Legal Status (please check):

Corporation
 Limited Liability -or-
 General) What State? _____ Corporate Identification No. _____
 Partnership

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the names, titles and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all corporate officers, and all partners in a partnership who own the property). A signature is required of at least one of the corporate officers or partners who own the property. Attach additional pages if needed. **Note:** The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process. **Additional pages attached** Yes No

Corporate/Partnership Name (type or print):
 San Diego Unified School District

Owner Tenant/Lessee

Street Address:
 4860 Ruffner Street

City/State/Zip:
 San Diego, CA 92111

Phone No: Fax No:
 858-627-7171 858-279-3582

Name of Corporate Officer/Partner (type or print):

Title (type or print): *Director, Fac. Plan; Const.*

Signature: *[Signature]* Date: *2.4.10*

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : Date:

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : Date:

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : Date:

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : Date:

Corporate/Partnership Name (type or print):

Owner Tenant/Lessee

Street Address:

City/State/Zip:

Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):

Title (type or print):

Signature : Date:

DEVELOPMENT SERVICES
Project Chronology
Hoover High Easement Vacations - PTS# 203240

Date	Action	Description	City Review Time	Applicant Response
04/08/10	First Submittal	Project Deemed Complete		
05/07/10	First Assessment Letter		21 days	
10/18/10	Second Submittal			116 days
11/04/10	Second Review Complete		13 days	
12/23/10	Third Submittal			35 days
01/06/11	Third Review Complete		10 days	
01/06/11	Issues Complete		0 days	
02/17/11	Public Hearing		30 days	
TOTAL STAFF TIME			44 days	
TOTAL APPLICANT TIME				151 days
TOTAL PROJECT RUNNING TIME		From Deemed Complete to Planning Commission	6 months and 15 days	