

GARDEN GROVE CITY COUNCIL

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE, CALIFORNIA,
APPROVING STREET VACATION NO. SV-000-2022 AND ORDERING VACATION AND
ABANDONMENT OF A PORTION OF THACKERY DRIVE AND ALLEY NORTH OF TWINTREE
AVENUE

The City Council of the City of Garden Grove hereby finds, determines, declares, and resolves as follows:

WHEREAS, Thackery Drive and Alley, a public street commencing on Twintree Avenue to the south and terminating in a cul-de-sac on the north end, approximately 450 linear feet away previously served as the access to single-family homes and businesses;

WHEREAS, those homes and businesses were purchased and demolished by either the City and/or former Garden Grove Agency for Community Development as part of a project to develop a hotel development;

WHEREAS, pursuant to the development agreement, the Former Agency was obligated to fund and demolish the alley and Thackery Drive;

WHEREAS, this street area, described in the legal description in Exhibit "A" and depicted in Exhibit "B" hereto, is no longer necessary for current or prospective public street purposes, or as a non-motorized transportation facility;

WHEREAS, pursuant to Chapter 3 of Part 3 of Division 9 of the Streets and Highways Code, Sections 8320 et seq., the City Council is authorized on its own initiative to initiate proceedings for vacation of public streets that are no longer necessary for current or prospective public street purposes or as a non-motorized transportation facility;

WHEREAS, pursuant to Streets and Highway Code Section 8312, the City Council is authorized to vacate all or a portion of a public street within the City; and

WHEREAS, on July 7, 2022, the Planning Commission of the City of Garden Grove adopted Resolution No. 6046-22 pursuant to Government Code 65402 and found that the proposed vacation of Thackery Drive and Alley commencing on Twintree Avenue to the south and terminating in a cul-de-sac on the north end, is consistent with the General Plan of the City of Garden Grove.

WHEREAS, on August 9, 2022, the City Council adopted Resolution No. 9750-22 declaring its intention to vacate and abandon the portion of Thackery Drive and Alley commencing on Twintree Avenue to the south and terminating in a cul-de-sac on the north end and set a public hearing date for September 13, 2022, at 6:30 p.m. in the Community Meeting Center, 11300 Stanford Avenue, Garden Grove;

WHEREAS, at the public hearing on September 13, 2022, at 6:30 p.m. in the Community Meeting Center the City Council heard all persons interested in or objecting to the proposed vacation, and received and considered all evidence submitted; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDEN GROVE, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. *Incorporation of Recitals.* The foregoing recitals are true and correct and are incorporated by reference herein.

SECTION 2. *Finding.* The City Council finds that the portion of Thackery Drive and Alley commencing on Twintree Avenue to the south and terminating in a cul-de-sac on the north end and described on Exhibit "A" and depicted on Exhibit "B" hereto is unnecessary for present or prospective public street purposes, or as a non-motorized transportation facility.

SECTION 3. *CEQA Determination.* The City Council finds that this vacation action is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 14304 (Class 4 categorical exemption-minor alternation of land), Section 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment), and results 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical changes to the environment, directly or indirectly.

SECTION 4. *Vacation.* Pursuant to the provisions of Chapter 3, Part 3, Division 9 (Section 8320 et seq.) of the California Streets and Highway Code, the City Council hereby orders the vacation and abandonment of Thackery Drive and Alley commencing on Twintree Avenue to the south and terminating in a cul-de-sac on the north end, as more particularly described on Exhibit "A" and depicted on Exhibit "B" hereto and incorporated herein by reference.