

STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: MARTIN D. KOCZANOWICZ, CITY ATTORNEY
**SUBJECT: CONSIDERATION OF DISPOSITION OF CITY-OWNED PROPERTY
LOCATED ON 920 BRIGHTON AVENUE**

BACKGROUND

In the late seventies, the City purchased a parcel located at 920 Brighton Avenue with the expectation of using it and other neighboring properties (not yet owned by the City) for expansion of Ramona Garden Park. This concept was further advanced when the Ramona Specific Plan was adopted, showing these properties zoned as Public Facilities. This zoning resulted in having several private residences deemed legal non-conforming uses, limiting their further development potential.

Due to the economic conditions and lack of funding, last year the City Council reviewed the City's property inventory in order to identify any underutilized City-owned properties that might be suitable for sale. As a result of that process, the Council identified the subject property and noted that the City would not be able to acquire additional properties to expand Ramona Garden Park, nor be able to maintain any additional park property that might be added to Ramona Garden Park in the future. The Council, therefore, directed staff to initiate rezoning of the properties located on the southeast corner of 9th Street and Brighton Avenue (including the subject parcel) to R-2 zoning to reflect their current uses and achieve consistency with the surrounding properties.

Additionally, in view of the difficult financial climate, Council directed staff to explore additional revenue sources, including the sale of City properties, to assist in balancing the budget. Among those was the parcel located at 920 Brighton Avenue.

DISCUSSION

In order for the City to move forward with a possible disposition, under state law (Government Code Section 65402) the City's Planning Commission must prepare a report evaluating whether the proposed disposition is consistent with the City's adopted General Plan. That report is then forwarded to the Council for its decision regarding the property's potential disposition.

APPROVED FOR FORWARDING



**ROBERT PERRAULT
CITY MANAGER**

**Please Review for the Possibility of a
Potential Conflict of Interest:**

- None Identified by Staff Bright
 Shoals Molnar
 Nicolls Peterson

Meeting Date: May 21, 2012

Agenda Item No. 12

The Planning Commission deliberated this issue at the May 8, 2012 meeting and adopted a Resolution which reports that the proposed disposition of the parcel at 920 Brighton Avenue is in conformity with the City's adopted General Plan. (Please see Attachment 1.)

The parcel has been used for the location of a community garden. Council has given staff direction to explore other potential City properties for relocation of the community garden, if the decision is made to dispose of the property and if a buyer is found. The Planning Commission was advised of this direction and did relay its support for the relocation of the community garden to one or more locations in the City.

At this juncture, staff is looking for direction from City Council with regard to the following:

- 1) Should sale of the parcel be pursued with the proceeds constituting revenue to the General Fund.
- 2) If so, should a Request for Proposals (RFP) be prepared for realtor services, or should the sale be handled in-house.
- 3) Should an appraisal be obtained or should the listing price be determined by a comparable market analysis ("market comps").

RECOMMENDED ACTION

Staff recommends that, based on the Planning Commission's findings of conformity with the General Plan, the Council authorize the disposition of the parcel on 920 Brighton Avenue. Staff further recommends that the property be listed with a broker after a brief Request for Proposal (RFP) period and a selection of the broker by staff, and that the listing price be determined based on a comparable market analysis. Lastly, staff recommends that the City Council further direct staff to return with potential relocation alternatives for the community garden.

FISCAL IMPACT

Sale of the property will have a positive impact on the General Fund.

PUBLIC NOTIFICATION

The agenda was posted in accordance with the Brown Act.

Attachment

1. Planning Commission Resolution

RESOLUTION NO. 12-19

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GROVER BEACH
FINDING THAT THE DISPOSITION OF PROPERTY LOCATED AT 920 BRIGHTON AVENUE
IS IN CONFORMITY WITH THE GENERAL PLAN**

WHEREAS, State Government Code Section 65402 stipulates that prior to the disposition of real property by a government agency, the planning agency of the jurisdiction in which said property is located must first make the finding that the disposition of said real property is in conformity with the adopted General Plan of the local jurisdiction; and

WHEREAS, this matter is not considered a "project" pursuant to the requirements of the California Environmental Quality Act (CEQA); and

WHEREAS, the Planning Commission of the City of Grover Beach has reviewed and considered the staff report, testimony, and evidence at a regular meeting on May 8, 2012; and

WHEREAS, the Planning Commission of the City of Grover Beach makes the following findings:

- 1) The General Plan does not specifically address the property located at 920 Brighton Avenue through any goals or policies.
- 2) The disposition of the property located at 920 Brighton Avenue is consistent with the adopted General Plan.
- 3) The disposition of the property located at 920 Brighton Avenue would maximize its highest and best use consistent with the current General Plan designation of Medium Density Residential and the R-2 zoning.

NOW, THEREFORE, BE IT RESOLVED the Planning Commission of the City of Grover Beach **DOES HEREBY REPORT** to the City Council of the City of Grover Beach that the proposed disposition/sale is in conformity with the City's adopted General Plan.

On motion by Commissioner Long, seconded by Commissioner Alex, and on the following roll-call vote, to wit:

AYES:	Commissioners Alex, Long, Vice Chair Blum, and Chair Laferriere.
NOES:	Commissioners - None.
ABSENT:	Commissioner Evans.
ABSTAIN:	Commissioners - None.

the foregoing RESOLUTION NO. 12-19 was **PASSED, APPROVED, and ADOPTED** at a Regular Meeting of the City of Grover Beach Planning Commission on this 8th day of May, 2012.

/s/ John Laferriere, Chair

Attest:

/s/ Bruce Buckingham, Community Development Director
Secretary to the Planning Commission

As to form:

/s/ Martin D. Koczanowicz, City Attorney