

RESOLUTION NO. 2024-06

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF SANTA ANA DETERMINING GENERAL PLAN
CONFORMITY FOR THE VACATION OF EXCESS BRISTOL
STREET ADJACENT TO 1601 AND 1607 NORTH BRISTOL
STREET

WHEREAS, California Streets and Highways Code Section 8300 *et seq.* authorizes the City of Santa Ana to vacate all or any portion of any street or highway within its boundaries and under its jurisdiction to terminate the public's right to use such street; and

WHEREAS, pursuant to California Government Code section 65042(a), street vacations must first be submitted to and reported upon by the Planning Commission for conformance with the General Plan; and

WHEREAS, to accommodate widening and improvement of Bristol Street, the City acquired properties at 1601 North Bristol Street and 1607 North Bristol Street; and

WHEREAS, on November 12, 2019, the City of Santa Ana Public Works Agency Director designated a portion 1601 and 1607 North Bristol Street as public street right of way; and

WHEREAS, a portion of the area designated as Bristol Street public right of way is situated outside the limits of the Bristol Street improvements, the City desires to vacate its interest in a 392 square-foot portion of Bristol Street adjacent to 1601 and 1607 North Bristol Street, as shown on Exhibit A ("Vacation Area"); and

WHEREAS, the Vacation Area is the unimproved portion of Bristol Street right of way located immediately adjacent to property 1601 and 1607 North Bristol Street, which is owned by Bristol Center Properties LLC; and

WHEREAS, Bristol Center Properties, LLC submitted applications to the City to approve a Better Buzz drive through coffee restaurant; and

WHEREAS, Bristol Center Properties, LLC has requested that the City vacate the unimproved portion of Bristol Street and to incorporate the property into the Better Buzz drive through coffee restaurant in order to provide a more efficient development; and

WHEREAS, the Vacation Area is unnecessary for present or prospective public use, as determined by the City's Public Works Agency; and

WHEREAS, by separate City Council action and following a finding of conformity with the City's General Plan by the Planning Commission, the City desires to vacate the Vacation Area.

NOW THEREFORE, BE IS RESOLVED by the Planning Commission of the City of Santa Ana as follows:

Section 1. The Planning Commission hereby determines that the proposed vacation of the Vacation Area, as shown on **Exhibit A**, is in conformance with the City's 2022 General Plan. The decision is based upon the Request for Planning Commission Action dated April 8, 2024, and exhibits attached thereto, and the public testimony, written and oral, all of which are incorporated herein by this reference.

The proposed vacation is in conformance with the Land Use Element of the City's 2022-2045 General Plan Goal LU-2, Policy LU-2.6 (Encourage Investment). The proposed vacation will convert a currently undeveloped, unutilized and unattractive space, which has the potential to collect trash and must be maintained by the City, into a landscaped and privately maintained element of a new commercial site.

The proposed vacation is also in conformance with the Mobility Element of the City's 2022-2045 General Plan as follow:

- Goal M-1, Policy 1.9 (Regional Consistency). The proposed vacation of an unimproved section of roadway will remove excess right of way beyond current improvements, and leave intact a portion of Bristol Street that is fully improved with pavement, bike lanes and sidewalks, and which is consistent with the standards of Orange County Transportation Authority Master Plan of Arterial Highways
- Goal M-4, Policy 4.2 (Project Review). The proposed vacation allows additional space for on-site circulation sufficient to reduce the number of curb-cut access points from two driveways to one driveway. The reduction in driveways limits the number of conflict points for pedestrians in the sidewalk and cyclists in the bike lane. The reduction in driveway curb-cuts also results in less removal of the protected bike lane raised median.

Section 2. The proposed vacation of the Vacation Area is exempt from review under the California Environmental Quality Act pursuant to section 15061(b)(3) of the State CEQA Guidelines because it can be seen with certainty that there is no possibility that it will have a significant impact on the environment. The proposed vacation is also exempt from CEQA review under section 15305 of the State CEQA Guidelines.

ADOPTED this 8th day of April, 2024.

AYES:	Commissioners:	Carl Benninger, Manuel J. Escamilla, Christopher Leo, Jennifer Oliva, Bao Pham, Isuri Ramos, Alan Woo (7)
NOES:	Commissioners:	(0)
ABSENT:	Commissioners:	(0)
ABSTENTIONS:	Commissioners:	(0)



Bao Pham Chairperson

APPROVED AS TO FORM:

Sonia R. Carvalho, City Attorney

By: 

Assistant City Attorney

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, Nuvia Ocampo, Recording Secretary, do hereby attest to and certify the attached Resolution No. 2024-06 to be the original resolution adopted by the Planning Commission of the City of Santa Ana on April 8, 2024.

Date: 4/8/2024

Nuvia Ocampo

Recording Secretary

City of Santa Ana