City of Santa Ana
20 Civic Center Plaza, Santa Ana, CA 92701
Staff Report
July 19, 2022

TOPIC: Vacate Portion of Alley

AGENDA TITLE
Adopt a Resolution of Intent to Vacate a Portion of Alley North of Second Street between Broadway and Sycamore Street, Abandonment 21-01

RECOMMENDED ACTION
Adopt a resolution which declares the City's intent to vacate a portion of alley north of Second Street between Broadway and Sycamore Street, and which sets a public hearing for August 16, 2022.

DISCUSSION
On December 2, 2014, City Council approved the execution of a Right of Entry and License Agreement (license) with Corbiz, LLC, (Corbiz) to install and maintain improvements within the alley north of Second Street between Broadway and Sycamore Street. The portion of alley subject to the license is adjacent to the Southern Counties Gas Company (SCG) Building at 207 West Second Street. The existing license allowed for the space to be improved and used as an enclosed patio and utility area. Because of the long-term nature of the patio improvements, and the absence of need to use the portion of alley for public access, Corbiz has requested the City vacate the right of way.

The requested vacation area is a portion of a north-south aligned, dead-end alley situated between the Santora Building at 207 North Broadway and the SCG Building (Exhibit 1 and 2). The alley is connected to Second Street in the Artists Village and terminates at a private parking lot owned by Corbiz at 214 North Sycamore Street.

Prior to the construction of the patio improvements in 2014, the alley space had long been underutilized and subject to criminal activity and trash accumulation. In recent years, the owner of the SCG Building, Corbiz, has constructed improvements within the remaining portion of alley, including removal of the outdated archway at the alley's northerly terminus, reconstruction of the stairs and access ramp, installation of drainage improvements, and replacement of the pavement tiles.

According to a title report submitted by the applicant, the City owns an easement over the portion of alley, which if vacated would revert to Corbiz and would be incorporated into the

SCG parcel. The remainder of the alley easement will continue to allow the public access between Second Street and the private parking lot.

Utilities, other government agencies, and City agencies have been advised of the alley easement vacation. In addition, in order to restrict enclosure of the vacated space, Corbiz would be required to record a covenant to prohibit new structures and maintain the area as open space before the vacation of the streets becomes effective. The final vacation resolution to be considered for adoption by the City Council will include this condition.

California Government Code Section 65402 (Restrictions on Acquisition and Disposal of Real Property) requires a Planning Commission to review and approve certain actions related to City property. Actions related to acquiring, using, or disposing of public property require the Planning Commission to review the proposed use for conformity with the General Plan. Planning Commission Resolution No 2022-xx finds the vacation conforms to the General Plan (Exhibit 3).

The recommended action adopts a resolution (Exhibit 4) of the City Council's intent to vacate the streets and sets a public hearing date for August 16, 2022, at which time the order to vacate may be approved by the City Council.

ENVIRONMENTAL IMPACT
In accordance with the California Environmental Quality Act, the recommended actions are exempt from further review. Categorical Exemption Environmental Review No. ER-2022-59 will be filed for this project.

FISCAL IMPACT
There is no fiscal impact associated with this action.

EXHIBIT(S)
1. Street Vacation Vicinity Map
2. Street Vacation Location Map
3. Planning Commission Resolution
4. Resolution of Intent

Submitted By: Nabil Saba, P.E., Executive Director – Public Works Agency

Approved By: Kristine Ridge, City Manager