



City of Santa Ana
20 Civic Center Plaza, Santa Ana, CA 92701
Staff Report
July 18, 2023

TOPIC: Vacate the Portion of Public Right of Way Adjacent to 2383 North Flower Street

AGENDA TITLE

Adopt a Resolution of Intent to Vacate the portion of Public Right of Way Adjacent to 2383 North Flower Street, Abandonment 22-01

RECOMMENDED ACTION

Adopt a resolution which declares the City's intent to vacate a portion of public right of way adjacent to Flower Street and sets a public hearing for August 15, 2023.

DISCUSSION

The portion of the public right of way was dedicated to the City of Santa Ana in 1931 on Tract Map No. 754 as a 10-foot by 120-foot long public street easement (Exhibit 1). The easement is currently being utilized by both vehicle and pedestrian traffic to travel from Flower Street to Heliotrope Drive and vice versa (Exhibit 2). The area is improved with concrete pavement and a cross gutter through the center and has been maintained by the City of Santa Ana.

Within the alley section, there is a wood utility pole and anchor owned by Southern California Edison (SCE). However, the current 10-foot width of the alley is obstructed by the presence of the wood utility pole, thereby limiting vehicular access through the alley.

The property owners of 2383 North Flower Street have submitted a request to vacate this portion of the alley for the purpose of closing down the alley to both vehicle and pedestrian traffic. On multiple occasions the neighborhood property owners have experienced transients, casings, and burglaries to the homes adjacent to the alley. Should the portion of the alley be vacated, the property owners will be installing a fence on the easterly portion of the alley for their safety.

As per the title report, the City of Santa Ana is the owner of an easement that covers the entire alley. If the westerly 100-foot section of the alley is vacated, it would fully revert to the owners of 2383 North Flower Street. However, the City has made a determination that the 15-foot westerly section of the alley will remain as public easement. This will allow the property owners at 2379 North Flower Street to continue to have access to their driveway through the alley. Furthermore, the 5-foot easterly section of the westerly half portion of

the alley will also remain as public easement allowing sufficient space for vehicles to turn-out when exiting through the easterly portion of the alley (Exhibit 3).

Staff confirms the City does not have any issues with this portion of the alley being vacated, presently or in the future. Further, utilities, other government agencies, and City agencies have been advised of the portion of alley vacation.

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 2023-13 finds the vacation conforms to the General Plan (Exhibit 4).

The recommended action adopts a resolution (Exhibit 5) of the City Council's intent to vacate the streets and sets a public hearing date for August 15, 2023, 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-2023-56 will be filed for this project.

FISCAL IMPACT

There is no fiscal impact associated with this action.

EXHIBIT(S)

1. Street Vacation Location Map
2. Street Vacation Area Map
3. Street Vacation Lot Line Map
4. Planning Commission Resolution
5. Resolution of Intent

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

Approved By: Kristine Ridge, City Manager