



# PLANNING COMMISSION AGENDA REPORT

*111*

MEETING DATE: APRIL 11, 2005

ITEM NUMBER:

SUBJECT: GENERAL PLAN CONFORMITY RESOLUTION FOR PROPOSED VACATION OF  
EXCESS PUBLIC RIGHT-OF-WAY  
279 EAST 17<sup>TH</sup> STREET

DATE: MARCH 28, 2005

FOR FURTHER INFORMATION CONTACT: MEL LEE, AICP, SENIOR PLANNER  
(714) 754-5611

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## PROJECT DESCRIPTION

The Engineering Division is proposing to vacate excess public right-of-way at 279 East 17<sup>th</sup> Street, westerly of Santa Ana Avenue.

## RECOMMENDATION

Approve by adoption of Planning Commission resolution.

MEL LEE, AICP  
Senior Planner

R. MICHAEL ROBINSON, AICP  
Asst. Development Services Director

## **ANALYSIS**

At the request of the Transportation Services Division, the Engineering Division is proposing to vacate excess public right-of-way at 279 East 17<sup>th</sup> Street, westerly of Santa Ana Avenue.

Government Code Section 65402 (Restrictions on Acquisition and Disposal of Real Property) requires that public right-of-way or other real property cannot be vacated or abandoned without a finding being made that such vacation or abandonment conforms to the General Plan.

East 17<sup>th</sup> Street is identified as a major arterial in the City's General Plan and Master Plan of Highways. According to the information provided in the Engineering Division memo dated March 8, 2005 (copy is attached to this report), the affected excess public right of way has been determined to be unnecessary for public streets and highway purposes based on the alignment approved by the City Council.

## **ENVIRONMENTAL DETERMINATION**

This request is exempt from the provisions of the California Environmental Quality Act, under Class 12, Surplus Government Property Sales.

## **CONCLUSION**

The proposed vacation of excess public right-of-way conforms to the City's 2000 General Plan.

Attachments:           Draft Planning Commission Resolution  
                                  City Engineer's Memo Dated March 8, 2005 with attached Exhibit "B-2"

cc:     Deputy City Manager - Dev. Svs. Director  
          Sr. Deputy City Attorney  
          City Engineer  
          Fire Protection Analyst  
          Staff (4)  
          File (2)

File: 041105ROW279E17th	Date: 032805	Time: 1115 a.m.
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**RESOLUTION NO. PC-05-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA FINDING THAT THE PROPOSED VACATION OF EXCESS PUBLIC RIGHT-OF-WAY AT 279 EAST 17<sup>TH</sup> STREET CONFORMS TO THE GENERAL PLAN**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, the Costa Mesa City Council adopted the City of Costa Mesa 2000 General Plan on January 22, 2002; and,

WHEREAS, the Government Code of the State of California, Section 65402, provides in part that a local agency shall not acquire or lease real property nor abandon or dispose of any real property, nor construct a public building or structure in any county or city, until the location, purpose, and extent of such activity has been reported upon as to conformity with the adopted General Plan applicable thereto; and,

WHEREAS, the City of Costa Mesa proposes to abandon a portion of the excess public right-of-way at 279 East 17<sup>th</sup> Street, westerly of Santa Ana Avenue, more particularly described on attached Exhibit "B-2"; and,

WHEREAS, the Costa Mesa Planning Commission has reviewed the proposed abandonment.

BE IT RESOLVED that, based on the evidence in the record, the Planning Commission hereby finds that the proposed abandonment of excess public right-of-way is in conformity with the adopted General Plan.

**PASSED AND ADOPTED this 11th day of April, 2005.**

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Chair, Costa Mesa  
Planning Commission



Mike R.

# CITY OF COSTA MESA

Department of Public Services / Engineering

## INTER OFFICE MEMORANDUM

RECEIVED  
CITY OF COSTA MESA  
DEVELOPMENT SERVICES DEPARTMENT

TO: Mike Robinson, Assistant Dev. Svs. Director

MAR - 9 2005

FROM:  Ernesto Munoz, City Engineer

DATE:  March 8, 2005

SUBJECT: **Proposed Vacation of Excess Right-of-Way**

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At the request of the City of Costa Mesa Transportation Services, the Engineering Division is processing a request to vacate excess right-of-way at 279 East 17<sup>th</sup> Street, westerly of Santa Ana Avenue.

The request is pursuant to the upcoming East 17<sup>th</sup> Street improvement project. East 17<sup>th</sup> Street, at this location, is designated on the Master Plan of Highways as a Primary Highway (106 feet wide). The existing right-of-way at this location is 100 feet wide. However, on May 21, 2001, Council adopted an alternate alignment for East 17<sup>th</sup> Street utilizing a reduced right-of-way width. By using this reduced alignment width, an excess right-of-way area is created, which is proposed for abandonment.

The excess right-of-way has been reviewed by the Engineering and Transportation Services Divisions and determined to be unnecessary for public streets and highway purposes based on the alignment approved by Council. The proposed abandonment will be consistent with the existing right-of-way and will not adversely affect the East 17<sup>th</sup> Street improvement project. This right-of-way is not required for any ingress and egress purposes to private property. Therefore, it is recommended the proposed vacation continue to be processed and forwarded to the City Council for approval. If the proposed vacation is approved and recorded, the subject property will revert to the underlying fee title owner.

It is requested that the Planning Division provide a determination of consistency with the General Plan and present the vacation of this excess right-of-way to the Planning Commission meeting of April 19, 2005. Please submit a confirmation that this request has been received and scheduled.

Thank you for your assistance on this project. If any further information is required, please contact Brad Edwards, Engineering Technician, at extension 5015.

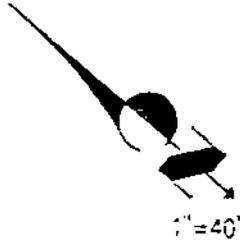
Attachment: Exhibits of Proposed Vacation of Excess Right-of-way

c: Peter Naghavi, Trans. Services Manager  
Dave Sorge, Associate Engineer  
Dennis Johnson, Assistant Engineer  
Brad Edwards, Engineering Technician III

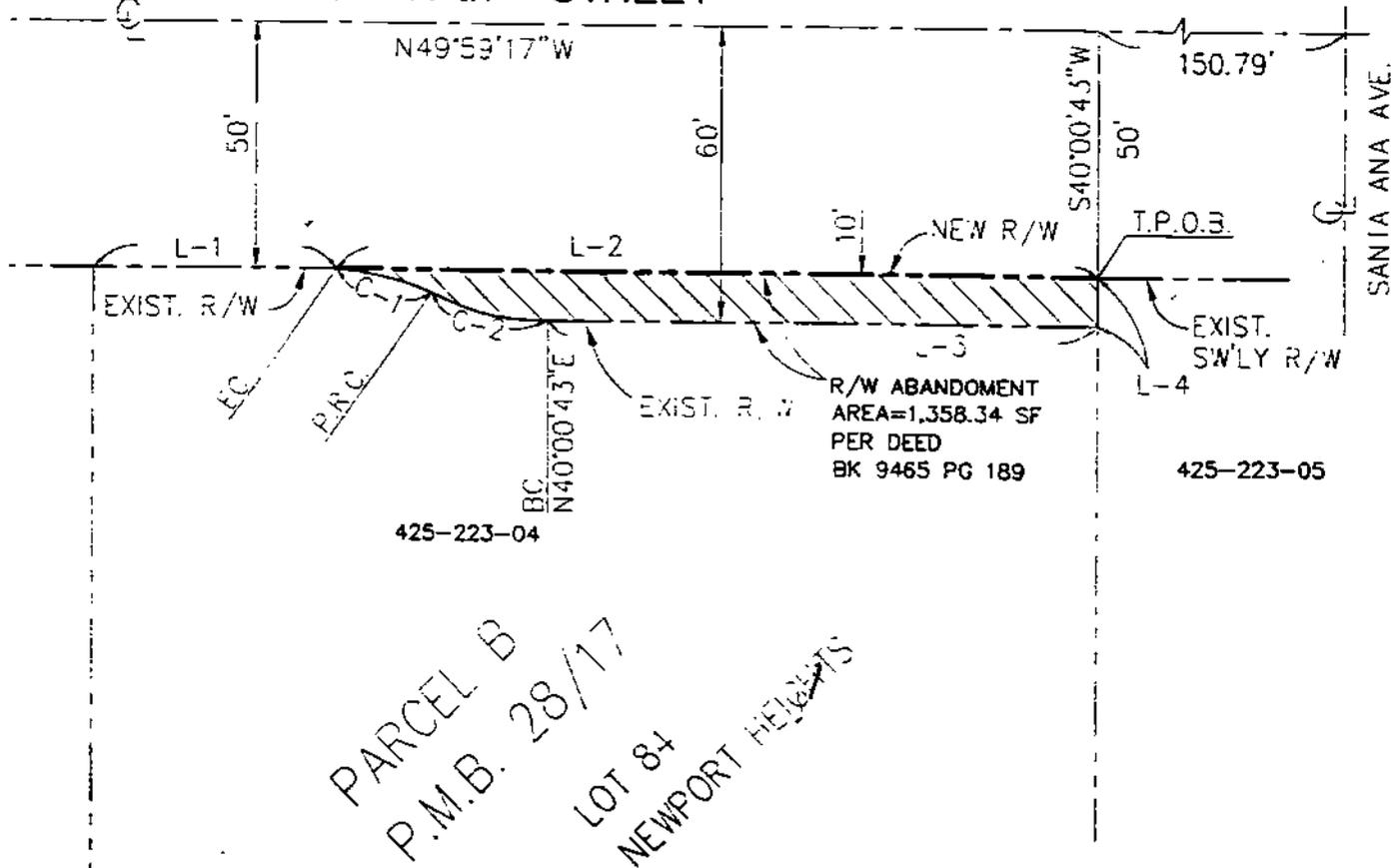
DEED NO.

# EXHIBIT "B-2"

SKETCH TO ACCOMPANY LEGAL DESCRIPTION OF VACATED STREET EASEMENT



## EAST 17th STREET



PARCEL B  
P.M.B. 28/17  
LOT 84  
NEWPORT HEIGHTS

CURVE TABLE			
CURVE	DELTA	LENGTH	RADIUS
C-1	25°50'35"	18.94'	42.00'
C-2	25°50'35"	25.16'	58.00'

LINE TABLE		
LINE	LENGTH	BEARING
L-1	49.62'	N49°59'17" W
L-2	155.59'	S49°59'17" E
L-3	112.00'	N49°59'17" W
L-4	10.00'	S40°00'00" W

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CITY OF COSTA MESA

PLAT

APN: 425-223-04

ADDRESS: 279 EAST 17th STREET

DATE: 07-08-04

DRAWN BY: VMC

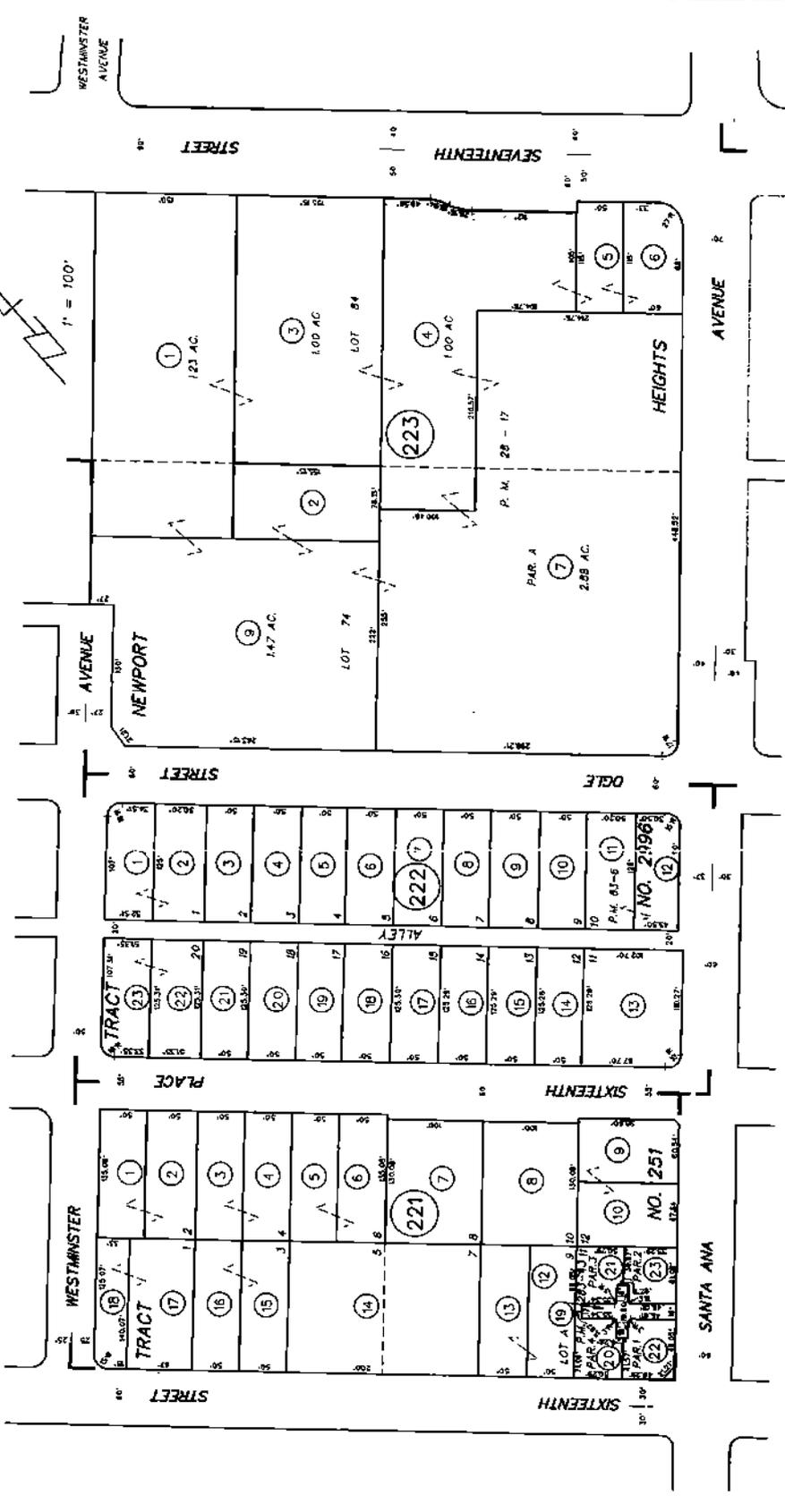
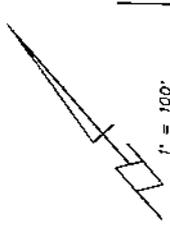
SCALE: 1"=40'

COMPILED FROM EXISTING RECORDS

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425-22

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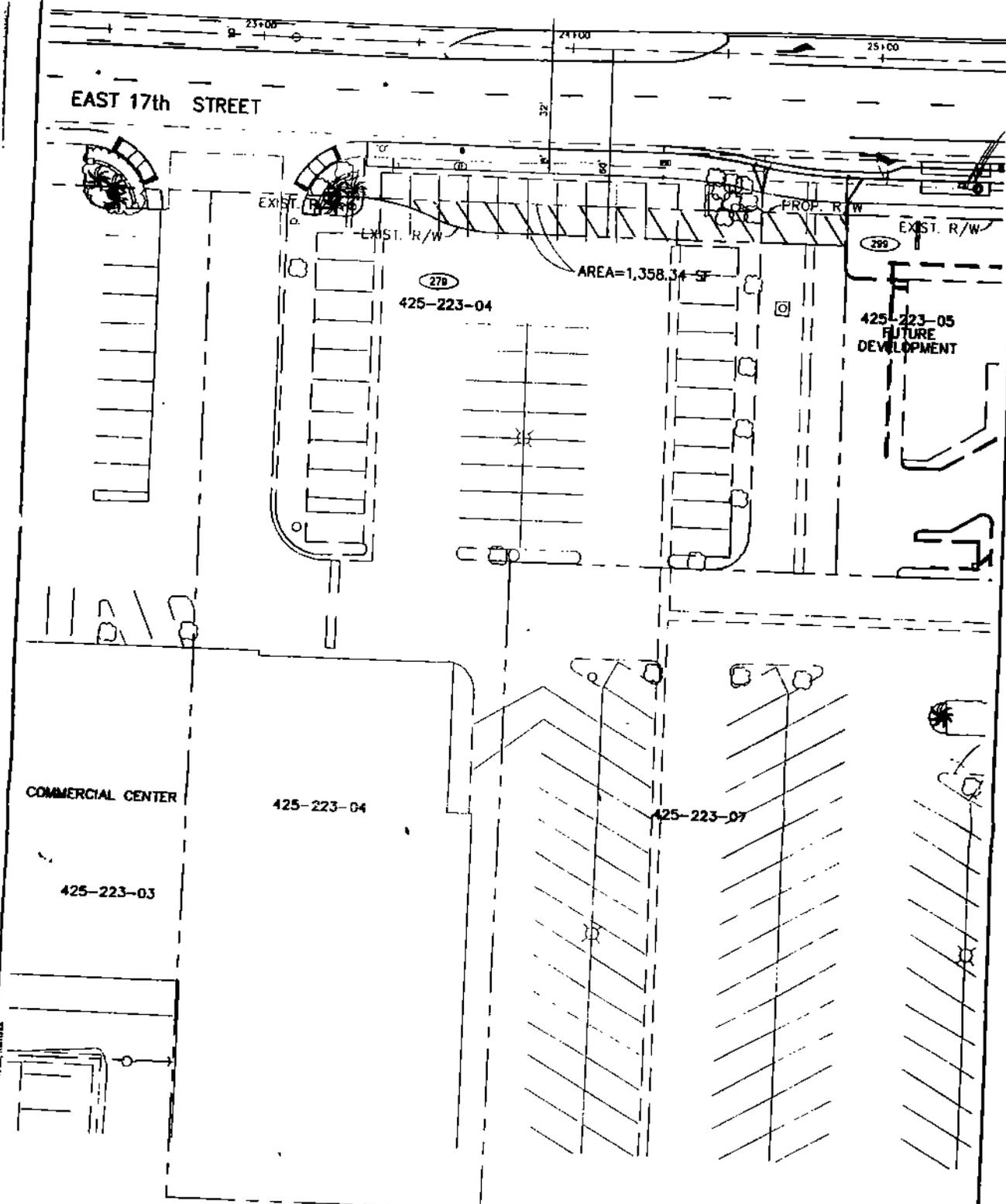
21

MARCH 1980  
 NEWPORT HEIGHTS M.M. 4-83  
 TRACT NO. 251 M.M. 14-7  
 TRACT NO. 2996 M.M. 16-21,22  
 PARCEL MAP P.M. 28-17,283-43

NOTE - ASSESSOR'S BLOCK & PARCEL NUMBERS SHOWN IN CIRCLES  
 ASSESSOR'S MAP BOOK 425 PAGE 22 COUNTY OF ORANGE

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EAST 17th STREET



**LEGEND**

--- PROPOSED R/W LINE

□ R/W AREA

SCALE: 1"=30'

8



**NICKER-REPER**  
 A QUALITY OF SERVICE  
 CIVIL ENGINEERING & SURVEYING  
 100 N. GARDEN AVENUE, SUITE 200  
 COSTA MESA, CA 92626  
 (714) 440-2200

Prepared under the supervision of  
 LICENSE NUMBER: 44511-0001-0001

**EXHIBIT B**  
 R/W ABANDONMENT  
 CITY OF COSTA MESA  
 DEPARTMENT OF PUBLIC SERVICES / ENGINEERING DIVISION