



# **PLANNING COMMISSION AGENDA REPORT**

MEETING DATE: MAY 12 2014

ITEM NUMBER: CC-4

**SUBJECT: GENERAL PLAN CONFORMITY RESOLUTION FOR PROPOSED VACATION OF A  
PORTION OF PUBLIC RIGHT-OF-WAY  
1677 SUPERIOR AVENUE**

**DATE: MAY 2, 2014**

**FROM: PLANNING DIVISION/DEVELOPMENT SERVICES DEPARTMENT**

**PRESENTATION BY: MEL LEE, SENIOR PLANNER**

**FOR FURTHER INFORMATION CONTACT: MEL LEE, AICP (714) 754-5611  
mel.lee@costamesaca.gov**

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## **DESCRIPTION**

The Engineering Division is proposing to vacate a portion of the public right-of-way for a portion of Superior Avenue at 1677 Superior Avenue.

## **RECOMMENDATION**

Approve by adoption of Planning Commission resolution.

**ANALYSIS**

At the request of the property owner, the Engineering Division is proposing to vacate a portion of the public right-of-way for a portion of Superior Avenue at 1677 Superior Avenue.

Government Code Section 65402 (Restrictions on Acquisition and Disposal of Real Property) requires that 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.

Superior Avenue is designated as a primary street on the current City's Master Plan of Highways. According to the information provided in the Engineering Division memo dated May 2, 2014 attached, the affected right-of-way has been determined to be unnecessary for public streets and highway purposes.

**ENVIRONMENTAL DETERMINATION**

This request is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15312, Surplus Government Property Sales.

**CONCLUSION**

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

  
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MEL LEE, AICP  
Senior Planner

  
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JERRY GUARRACINO, AICP  
Interim Assistant Director Economic and  
Development Services

- Attachments: 1. Draft Planning Commission Resolution  
2. Engineering Division Memo Dated May 2, 2014

- cc: Director of Economic & Development / Deputy CEO  
Sr. Deputy City Attorney  
Public Services Director  
City Engineer  
Transportation Services Manager  
Fire Protection Analyst  
Staff (4)  
File (2)

**RESOLUTION NO. PC-14****A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA FINDING THAT THE PROPOSED VACATION OF A PORTION OF THE PUBLIC RIGHT-OF-WAY OF SUPERIOR AVENUE AT 1677 SUPERIOR AVENUE 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 public right-of-way of Superior Avenue at 1677 Superior Avenue, more particularly described on the attached exhibit; and,

WHEREAS, the Costa Mesa Planning Commission has reviewed the proposed abandonment; and

WHEREAS, this request is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15312, Surplus Government Property Sales.

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 12th day of May, 2014.**

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Jim Fitzpatrick, Chair  
Costa Mesa Planning Commission

STATE OF CALIFORNIA )  
 )ss  
COUNTY OF ORANGE )

I, Claire Flynn, Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on May 12, 2014, by the following votes:

AYES: COMMISSIONERS  
NOES: COMMISSIONERS  
ABSENT: COMMISSIONERS  
ABSTAIN: COMMISSIONERS

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Secretary, Costa Mesa  
Planning Commission

**CITY OF COSTA MESA**

Department of Public Services / Engineering

**INTER OFFICE MEMORANDUM**

**TO:** Gary Armstrong, AICP Economic and Development Services  
Director

**FROM:** Fariba Fazeli, City Engineer *FF*

**DATE:** May 2, 2014

**SUBJECT: PROPOSED VACATION OF A PORTION OF SUPERIOR  
AVENUE AT 1677 SUPERIOR AVENUE**

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The Engineering Division has received a request for the vacation of excess right-of-way at 1677 Superior Avenue (see Attachment 1). This vacation of right-of-way is being requested by the property owner to fulfill a condition of Tract Map No. 17639 / PA-13-22. The Planning Commission approved the conditions November 12, 2013.

Per the current City's Master Plan of Highways, Superior Avenue is designated as a primary street (90 feet wide). Per the Transportation Services Division, the remainder of Superior Avenue has been constructed to fulfill the Master Plan of Highways' capacity requirement within an existing 100 foot full-width right-of-way. This results in 10 feet of excess right-of-way at this location. The proposed vacation would comply with the current standard Primary classification and be consistent with the existing improvements and a 90-foot full-width right-of-way would remain with a parkway width of 10 feet on the subject side.

It should be mentioned as part of the conditions for the Tract Map No. 17639, the property owner is also dedicating 10.00 feet of right-of-way to W. 17<sup>th</sup> Street for an east-bound right turn lane on to Superior Avenue.

Currently, there are no utilities within this portion of the public right-of-way and therefore, a reservation for a utility easement is not required. The excess right-of-way has been reviewed by the Engineering and Transportation Services Divisions and it has been determined that this portion of Superior Avenue is not necessary for public street and highway purposes and consequently is not required for any motorist and/or non-motorist usage. It is therefore recommended that the proposed vacation continue to be processed and forwarded to the City Council for approval. After the proposed vacation is approved and recorded, the subject vacated property will revert back to the owner of 1677 Superior Avenue.

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 May 12, 2014. Please submit a confirmation that this request has been received and scheduled.

Information or assistance required for this project may be obtained from Brad Edwards, Engineering Technician, at extension 5066.

Attachment: 1 - Proposed Vacation of Excess Right-Of-Way

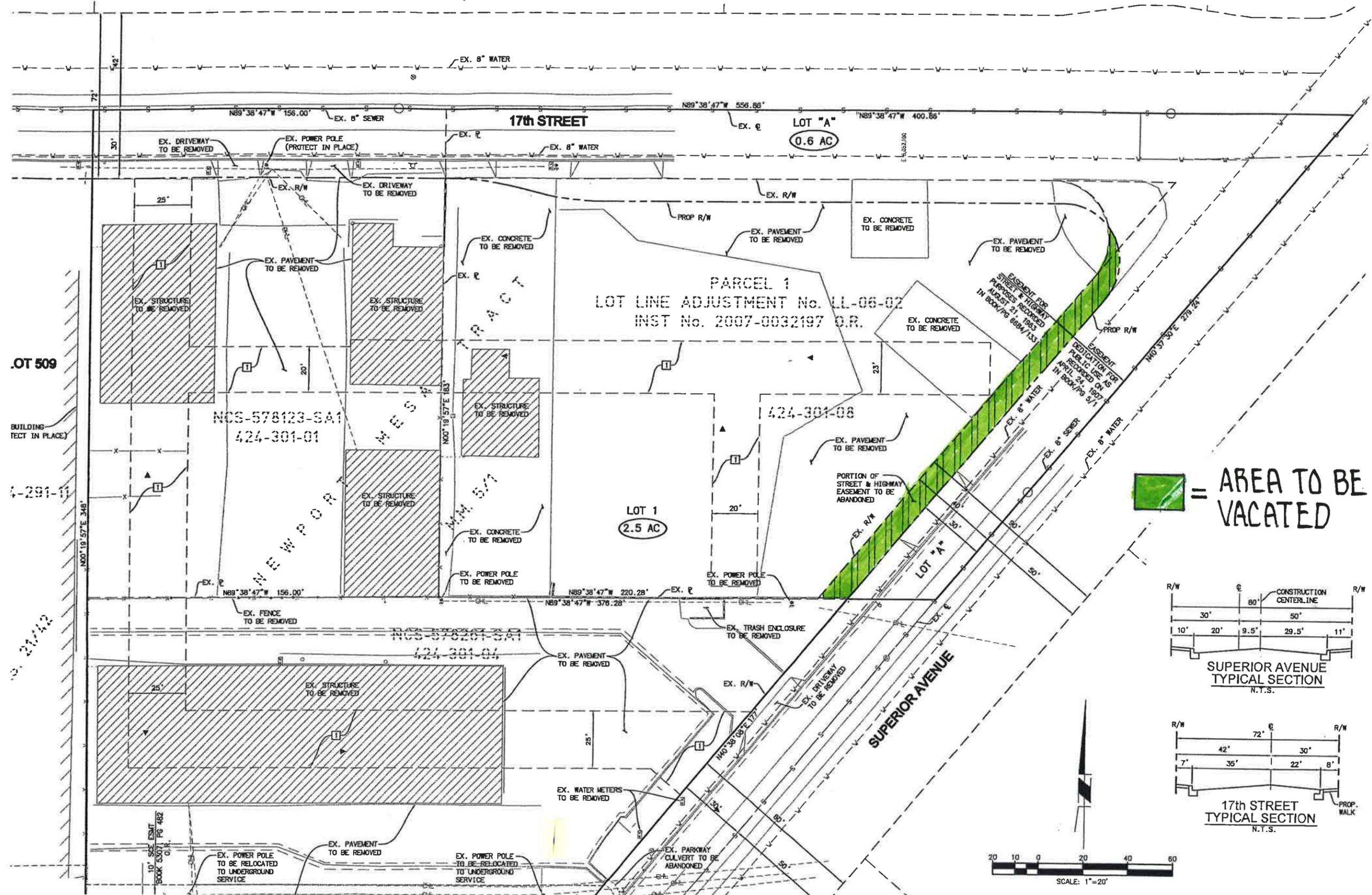
c: Raja Sethuraman, Transportation Services Manager  
Brad Edwards, Engineering Technician III

# 651 W. 17th STREET & 1677 SUPERIOR AVENUE

## VESTING TENTATIVE TRACT NO. 17639

### FOR CONDOMINIUM PURPOSES

### CITY COSTA MESA, STATE OF CALIFORNIA



= AREA TO BE VACATED

