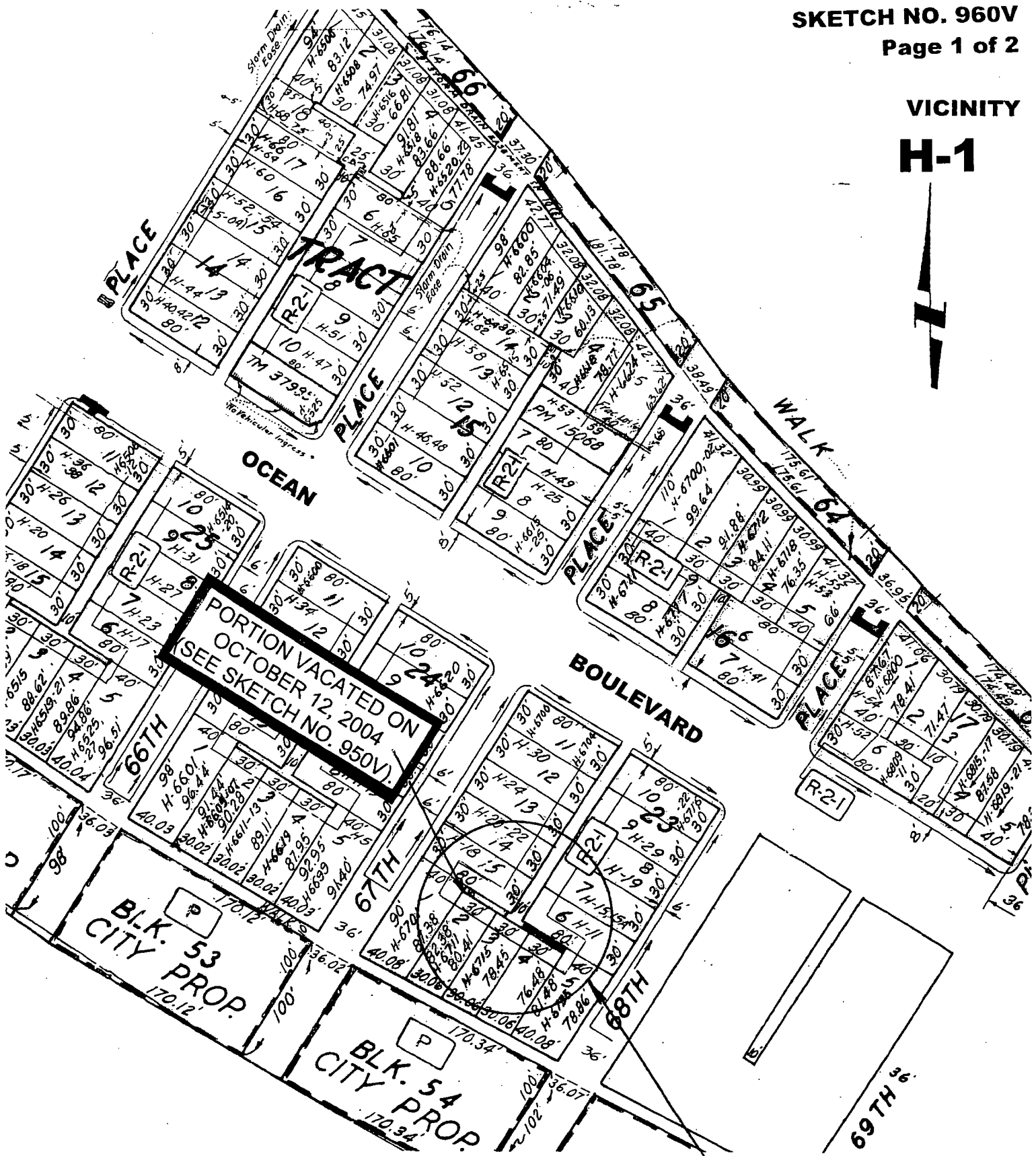


VICINITY

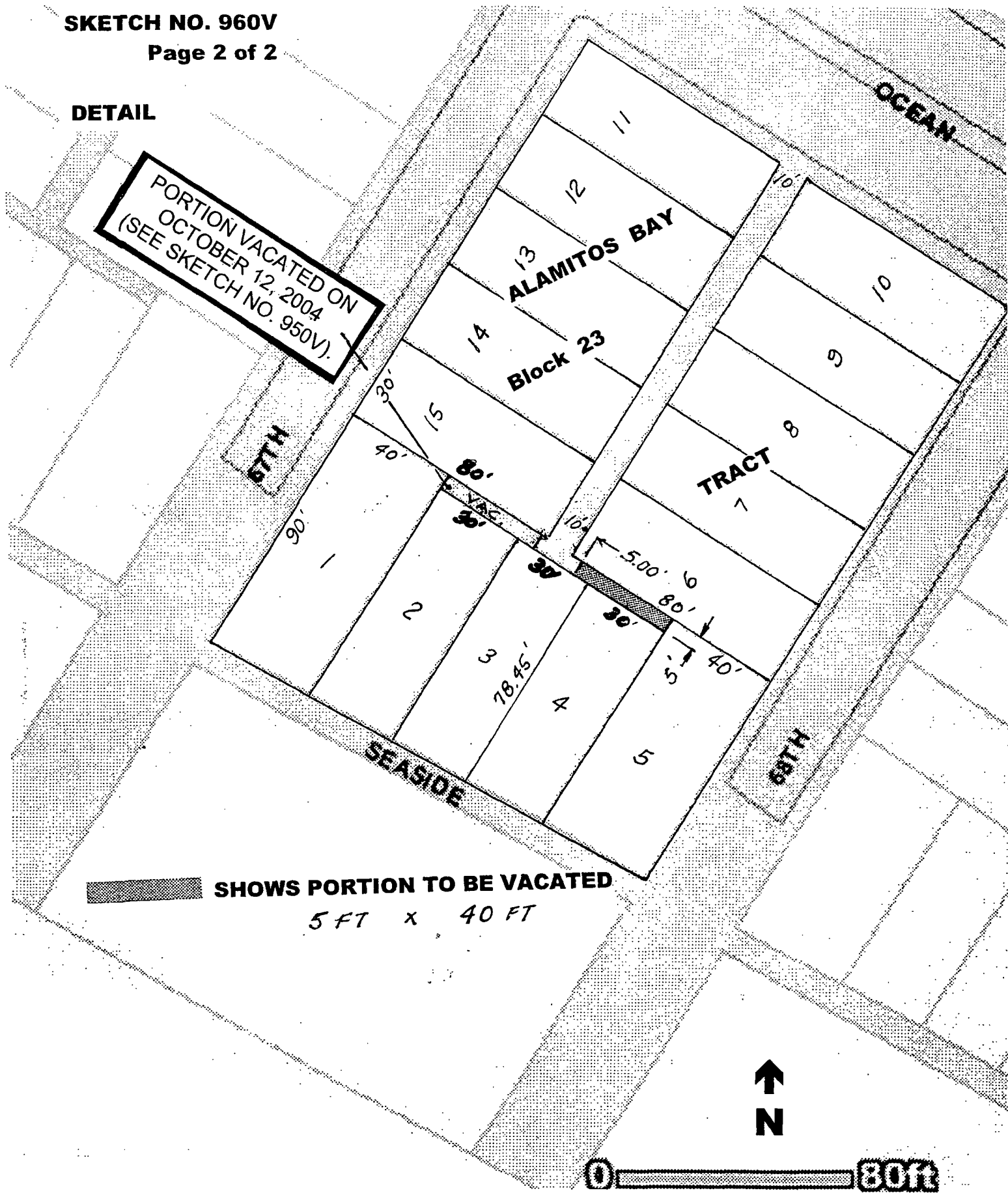
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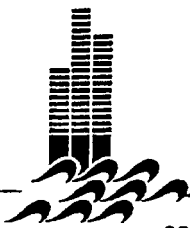
FIVE-FOOT WIDE ALLEY WEST OF 68TH PLACE
 AND SOUTH OF OCEAN BOULEVARD
 PROPOSED TO BE VACATED BY THE CITY OF LONG BEACH.

DETAIL

PORTION VACATED ON
OCTOBER 12, 2004
(SEE SKETCH NO. 950V).



SHOWS PORTION TO BE VACATED
5 FT x 40 FT



CITY OF LONG BEACH

DEPARTMENT OF PUBLIC WORKS

~~C-20~~

~~05-2495~~

333 West Ocean Boulevard • Long Beach, CA 90802 • (562) 570-6383 • FAX (562) 570-6012

March 8, 2005

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt the attached resolution of intention to vacate the east half of the five-foot wide alley west of Sixty-Eighth Place and south of Ocean Boulevard, and set the required public hearing on April 5, 2005. (District 3)

DISCUSSION

The builder of a single family home addressed as 6717 Seaside Walk requested that the City vacate the five-foot wide alley adjacent to his property as shown on Exhibit A. This right-of-way dead-ends in private property and provides no access useful to the public. The addresses of the three properties adjoining the portion of the alley proposed to be vacated are 6717 East Seaside Walk, 6735 East Seaside Walk, and 11 Sixty-Eighth Place.

Proceedings for this vacation are being conducted in accordance with Chapter 3, General Vacation Procedure, of the Public Streets, Highways and Service Easements Vacation Law of the California Streets and Highways Code. Findings must establish that the subject right-of-way is unnecessary for present or prospective public use. The Department of Public Works supports this action, based on the following evidence, facts, conditions and findings, establishing that the dedicated right-of-way to be vacated is unnecessary for present or prospective public use:

1. The City of Long Beach previously vacated the west half of this alley shown on Exhibit B on October 12, 2004, with the adoption of Resolution No. C-28464.
2. The ownership and development of the three properties adjacent to the subject alley portion is shown on the attached Exhibit C. Note that the properties addressed as 6735 East Seaside Walk and 11 Sixty-Eighth Place do not take any access to the 5-foot wide alley.
3. On November 18, 2004, the City of Long Beach Planning Commission determined that the subject vacation action is consistent with the General Plan, as required in Section 8313 of the Public Streets, Highways and Service Easements Vacation

Law. The action on this date included a modification of the 6717 Seaside Walk Coastal Development Permit to include approval for this alley vacation. In conformance with the California Environmental Quality Act, Categorical Exemption Number 494-04 was issued for this project. The Planning Department staff report is included as Exhibit D.

4. The interested City Departments, including Fire and Police, have reviewed the proposed right-of-way vacation and land development and have no objections to this action. Conditions of approval, satisfying the concerns of the public utility companies, are shown on Exhibit E.

The proposed resolution of intention to vacate was prepared by Deputy City Attorney Lisa Peskay Malmsten on February 7, 2005. The City of Long Beach does not guarantee reversionary rights over the vacated right-of-way. A public hearing to allow all persons interested in or objecting to the proposed vacation to appear and be heard should be set for April 5, 2005.

TIMING CONSIDERATIONS

City Council action on this matter is not time critical.

FISCAL IMPACT

A vacation processing fee of \$675 was deposited to the General Fund (GP) in the Department of Public Works (PW).

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



CHRISTINE F. ANDERSEN
DIRECTOR OF PUBLIC WORKS

APPROVED:

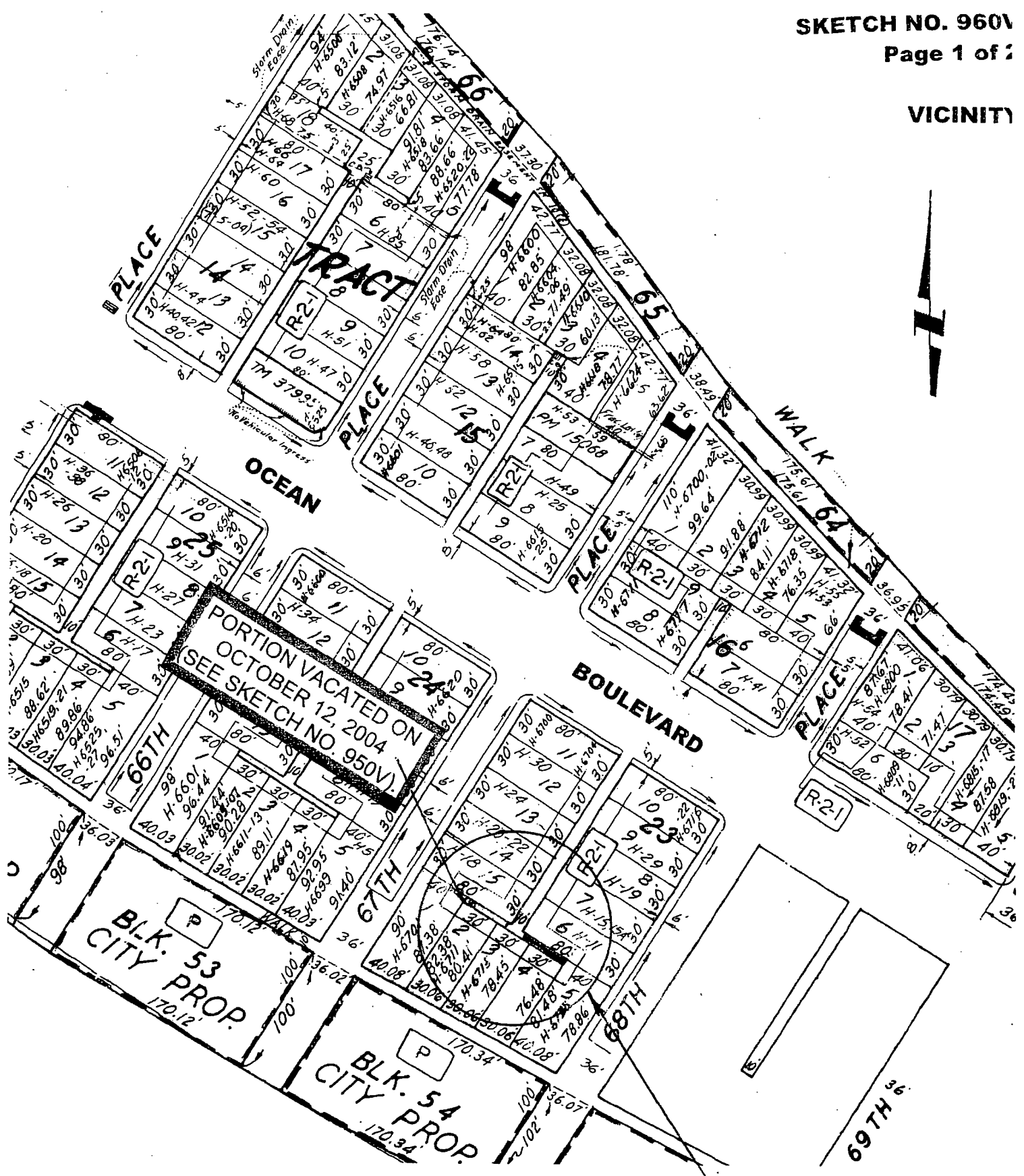
Attachments



GERALD R. MILLER
CITY MANAGER

GMM:SC/p (RW 6717 Seaside Walk Vac CL1)

VICINITY

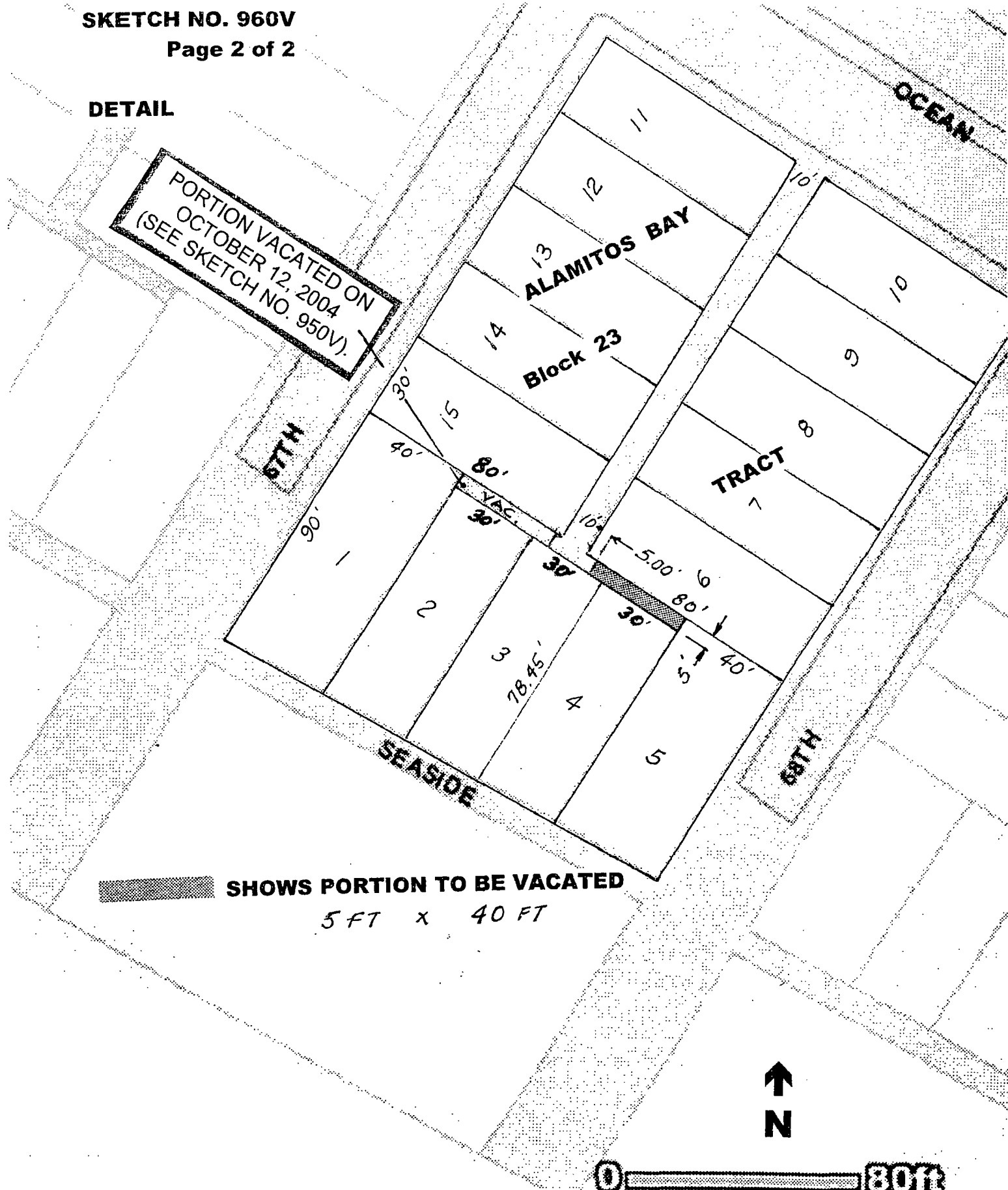


FIVE-FOOT WIDE ALLEY WEST OF 68TH PLACE
 AND SOUTH OF OCEAN BOULEVARD
 PROPOSED TO BE VACATED BY THE CITY OF LONG BEACH.

EXHIBIT B

DETAIL

PORTION VACATED ON
OCTOBER 12, 2004
(SEE SKETCH NO. 950V).



SHOWS PORTION TO BE VACATED
5 FT x 40 FT

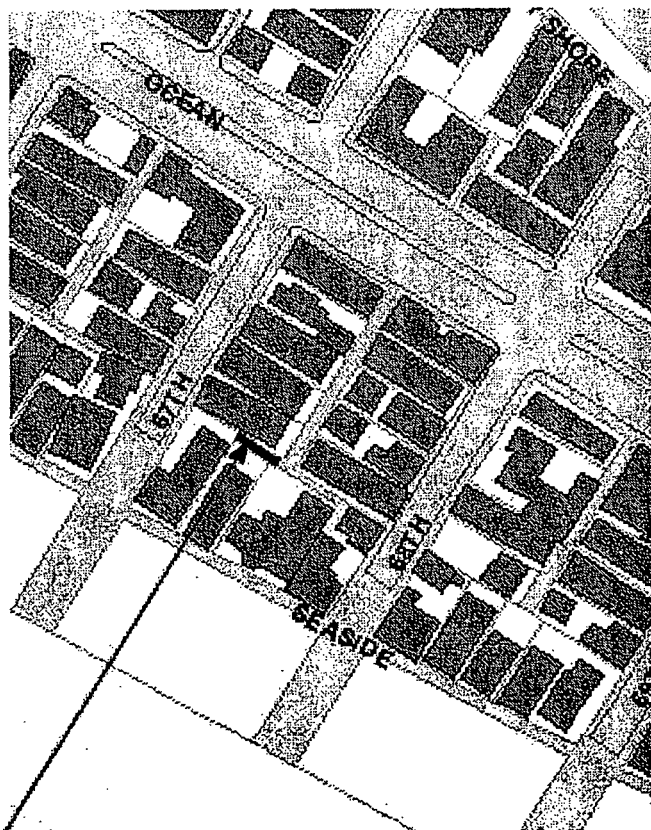


0 80ft

EXHIBIT B

SKETCH NO. 950V

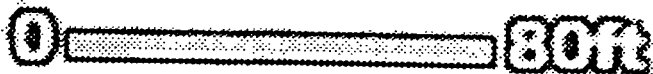
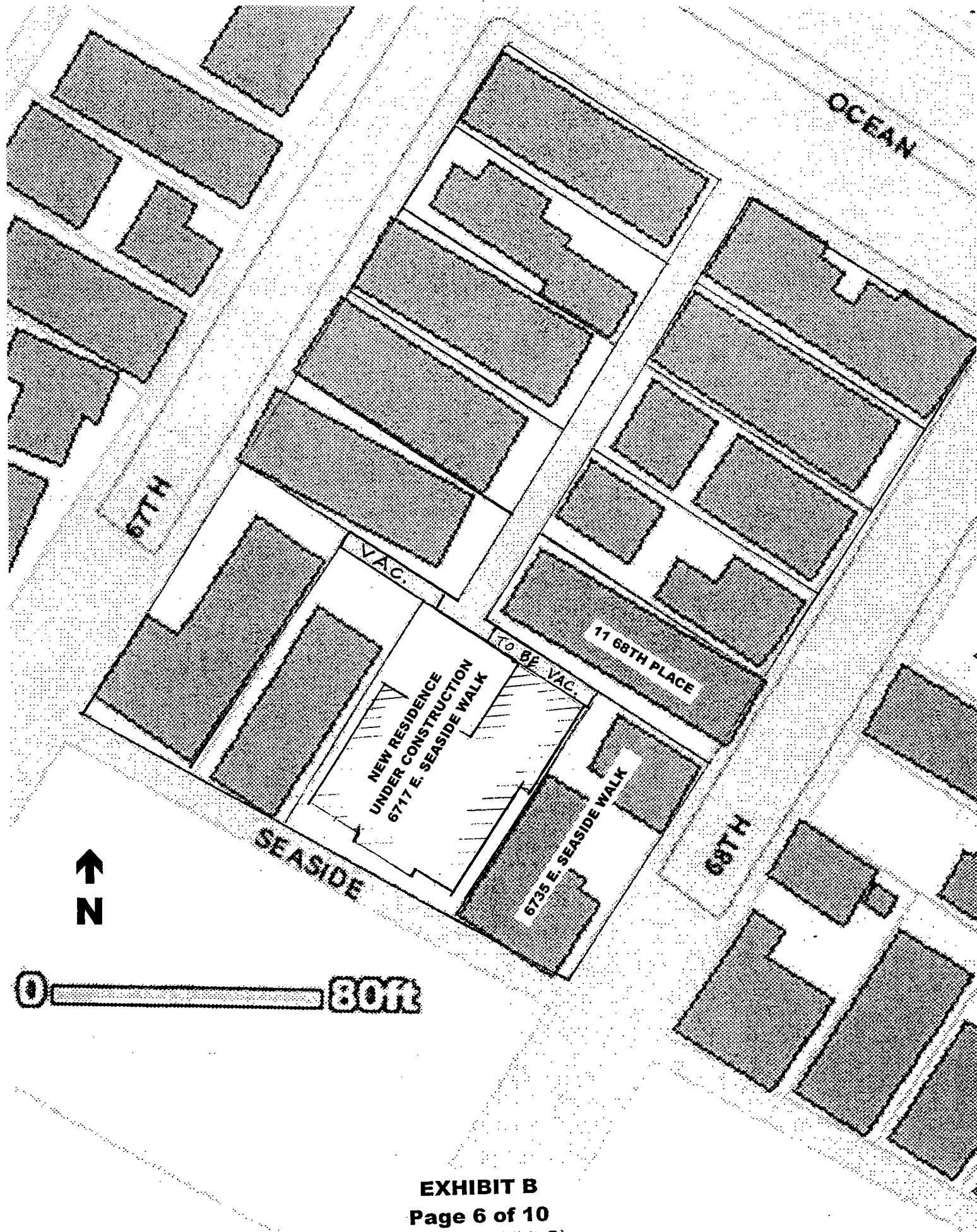
**SKETCH SHOWING A PORTION OF
THE FIVE-FOOT WIDE ALLEY
EAST OF 67TH PLACE
VACATED BY THE CITY OF LONG BEACH.**

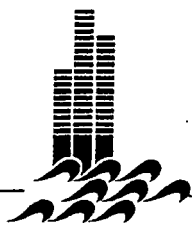


SHOWS PORTION VACATED

**RESOLUTION NO. C-28464 ADOPTED ON
OCTOBER 12, 2004; AND RECORDED ON
NOVEMBER 5, 2004 AS DOCUMENT NO.
04-2878611.**

EXHIBIT B
Page 5 of 10
(Original Exhibit B)





CITY OF LONG BEACH

DEPARTMENT OF PLANNING AND BUILDING

333 West Ocean Boulevard • Long Beach, CA 90802 • (562) 570-6357 FAX (562) 570-6068

ADVANCE PLANNING

November 18, 2004

CHAIR AND PLANNING COMMISSIONERS
City of Long Beach
California

SUBJECT: Finding of Conformity with the *General Plan* for an Alley Vacation and modification to an Coastal Permit (Council District 3)

LOCATION: Alley West of 68th Place and South of Ocean Boulevard

APPLICANT: Dennis C. Poulsen
6717 East Seaside Walk

RECOMMENDATION

Find the proposed alley vacation, as depicted in Exhibit A, in conformance with the *General Plan* and approve modification to Coastal Development Permit (case no. 0008-05) to include this alley vacation.

BACKGROUND

Pursuant to California Government Code Section 65402, no street, parcel or alley may be vacated until such action has been submitted to, and reported upon by, the Planning Commission as to its conformity with the adopted *General Plan*. The proposed alley vacation is herein submitted for such review. In addition, because the subject site is in the coastal zone, a coastal development permit is required. The applicant has received the entitlements including a coastal development permit (case no. 0008-05) for the construction of a three story single family residence, which is near completion. The applicant is requesting the vacation of a 5 foot alley that only leads to the applicant's property.

A finding of consistency shall be made when the proposed re-use of the property conforms to the maps and policies of the *General Plan*. The *General Plan* consists of eleven

EXHIBIT B

Page 7 of 10

(Original Exhibit D, Page 1 of 3)

elements: Land Use, Open Space, Transportation, Noise, Scenic Routes, Conservation, Local Coastal Program, Housing, Air Quality, Public Safety, and Seismic Safety. Each element of the *General Plan* carries the same authority concerning land use issues. All elements of the *General Plan* were considered and staff finds this vacation in conformance with all the elements of the *General Plan*. A review of the relevant elements and specific *General Plan* consistency findings are presented below:

GENERAL PLAN CONSISTENCY FINDINGS

Land Use Element

The Land Use Element divides the City into 21 land use districts, which provide general guidance as to the type and density of land uses considered appropriate. The alley in question is located in Land Use District (LUD) 2, Mixed Style Homes. This district recognizes that there are large areas of the City with a mixture of low density housing types, duplexes, triplexes, etc. usually mixed together on the same block. The intent of LUD 2 is not to attempt to convert the areas to a single-family density, or to permit the areas to advance in density to that of the densest housing prevalent in the district. The proposed vacation will not result in the change of the density or use of the existing building.

Transportation Element

A key goal of the Transportation Element is to establish a transportation system, which can provide sufficient mobility for people and goods throughout the city while accommodating reasonable, balanced growth. This alley vacation will not degrade circulation along the Peninsula. The alley is not referenced in the Transportation Element and the proposed vacation does not contradict any policies or objectives in the *General Plan*.

Local Coastal Program

The Local Coastal Program establishes plans and policies for the preservation of affordable housing, coastal access and environmental protection. The site is located in Area E (Naples Island and the Peninsula) of the City's LCP. The Naples portion of Area E is nearly exclusively residential in character, mostly single family or duplex residential structures. The project site is new construction and therefore no replacement housing is required.

MODIFICATION TO COASTAL PERMIT

On June 12, 200, the Zoning Administrator approved a request to develop a new single family dwelling. The applicant is requesting a modification to the coastal permit to

EXHIBIT B

Page 8 of 10

(Original Exhibit D, Page 2 of 3)

include the 5 feet wide alley vacation. The conditions of approval for attached for your reference (see attachment B).

ENVIRONMENTAL REVIEW

In accordance with the guidelines for implementing the California Environmental Quality Act (CEQA), categorical exemption 494-04 was issued.

IT IS RECOMMENDED THAT THE PLANNING COMMISSION

Find the proposed alley vacation, as depicted in Exhibit A, in conformance with the *General Plan* and approve with conditions an amendment to the Coastal Development Permit to include this alley vacation.

Respectfully submitted,

FADY MATTAR
ACTING DIRECTOR OF PLANNING AND BUILDING

By: _____

Ira Brown
Planner

Approved: _____

Angela Reynolds
Advance Planning Officer

Covenant_Presby.doc
FM:AR:IB

Attachment:

1. Exhibit A: Sketches depicting public right-of-way vacation and dedication
2. Exhibit B: Site plan and evaluations
3. Conditions of approval

CONDITIONS OF APPROVAL

SKETCH NO. 960V

The proposal was reviewed by the interested city departments and public agencies, and there were no objections, provided that the following conditions of approval are included:

1. An easement shall be reserved for any existing utilities, which are known to include sewer and gas lines. No structures may be constructed or installed over the easement area.
2. The vacation petitioner shall resolve any storm water drainage problems resulting from the vacation to the satisfaction of the Director of Public Works.

The above conditions are flexible in that they may be adjusted in consideration of changing conditions or of new evidence which occurs or becomes available prior to the adoption of the resolution vacating by the City Council.

GMM:SC/ C

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RESOLUTION NO. C-

A RESOLUTION ORDERING THE VACATION OF A
PORTION OF THE FIVE-FOOT WIDE ALLEY WEST OF
SIXTY-EIGHTH PLACE AND SOUTH OF OCEAN
BOULEVARD IN THE CITY OF LONG BEACH, COUNTY OF
LOS ANGELES, STATE OF CALIFORNIA

WHEREAS, the City Council of the City of Long Beach, did heretofore, on the
_____ day of _____, 2005 by Resolution No. C-_____, declare its intention
to order the vacation, pursuant to the provisions of the Public Streets, Highways, and
Service Easements Law, a portion of the five-foot wide alley west of Sixty-Eighth Place and
South of Ocean Boulevard, County of Los Angeles, State of California, described more
particularly as follows:

That portion of the 5-foot wide alley shown on Block 23 of The Alamitos Bay
Tract in the City of Long Beach, County of Los Angeles, State of California,
as shown on the map of said Tract filed in Book 5, Pages 137 and 138 of
Maps in the Office of the County Recorder of said county, lying easterly of
the southerly prolongation of a line 5.00 feet easterly of, measured at right
angles and parallel with, the westerly line of Lot 6 of said block and tract.

Reserving unto the City of Long Beach, its successors and assigns a
perpetual easement and right-of-way, a any time or from time to time, to lay,
construct, maintain, operate, repair, renew, replace, change the size of and
remove the existing utility lines, including, but not limited to, all necessary
gates, valves, fittings, hydrants and appurtenances for the transportation of
gas, with the right of ingress to and egress from the same, over, through,
under, along and across that certain property vacated herewith; and pursuant
to any existing franchises or renewals thereof, or otherwise, to construct,
maintain, operate, replace, remove, renew and enlarge lines of conduits,
cables, wires, poles and other convenient structures, equipment and fixtures
for the operation of telephone lines and other communication lines, and for
the transportation or distribution of electric energy, and incidental purposes
including access and the right to keep the property free from inflammable
materials, and wood growth, and otherwise protect the same from all hazards
in, upon and over the part vacated. Access for maintenance of the above-
mentioned facilities must be maintained at all times. No improvements shall
be constructed within the easement which would impede the operation,
maintenance or repair of said facilities. Construction of any improvements,
including changes of grade, shall be subject to the prior written approval of
all the City departments and public utilities responsible for the above said
facilities.

Robert E. Shannon
City Attorney of Long Beach
333 West Ocean Boulevard
Long Beach, California 90802-4664
Telephone (562) 570-2200

Robert E. Shannon
City Attorney of Long Beach
333 West Ocean Boulevard
Long Beach, California 90802-4664
Telephone (562) 570-2200

1 WHEREAS, the City Council did, at said time, fix Tuesday, the ___ day of
2 _____, 2005 at the hour of _____ .m., as the time at the City Council
3 Chamber, Plaza Level of the City Hall, 333 West Ocean Boulevard, in the City of Long
4 Beach, California, as the place for hearing for all persons interested in or objecting to the
5 proposed vacation to appear and be heard; and

6 WHEREAS, notice of the resolution of the intention to vacate, stating the time
7 and place of said hearing, were duly posted in the manner prescribed by law; and

8 WHEREAS, said hearing was called and held before the City Council at the
9 time and place so fixed and evidence taken and received on the matter of said proposed
10 vacation, and the City Council, upon said evidence, now make those findings of fact set
11 forth in said Exhibit "B", attached hereto and by this reference made a part hereof;

12 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
13 follows:

14 Section 1. Pursuant to the foregoing resolution of intention, the proceedings
15 had thereunder, the "SKETCH SHOWING A PORTION OF THE FIVE-FOOT WIDE ALLEY
16 WEST OF 68TH PLACE AND SOUTH OF OCEAN BOULEVARD PROPOSED TO BE
17 VACATED BY THE CITY OF LONG BEACH" attached hereto as Exhibit "A", and the City
18 Council Findings attached hereto as Exhibit "B", said City Council of the City of Long
19 Beach hereby makes its resolution vacating and closing a portion of the drive hereinabove
20 described.

21 Sec. 2. That this resolution shall take effect immediately upon its adoption
22 by the City Council, and the City Clerk is hereby instructed to certify to the adoption
23 thereof, and to cause a certified copy to be recorded in the Office of the County Recorder
24 of the County of Los Angeles, California.

25 I hereby certify that the foregoing resolution was adopted by the City Council

26 ///

27 ///

28 ///

1 of the City of Long Beach at its meeting of _____, 2005 by the following votes:

2 Ayes: Councilmembers: _____

3 _____

4 _____

5 _____

6 Noes: Councilmembers: _____

7 _____

8 Absent: Councilmembers: _____

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12 _____

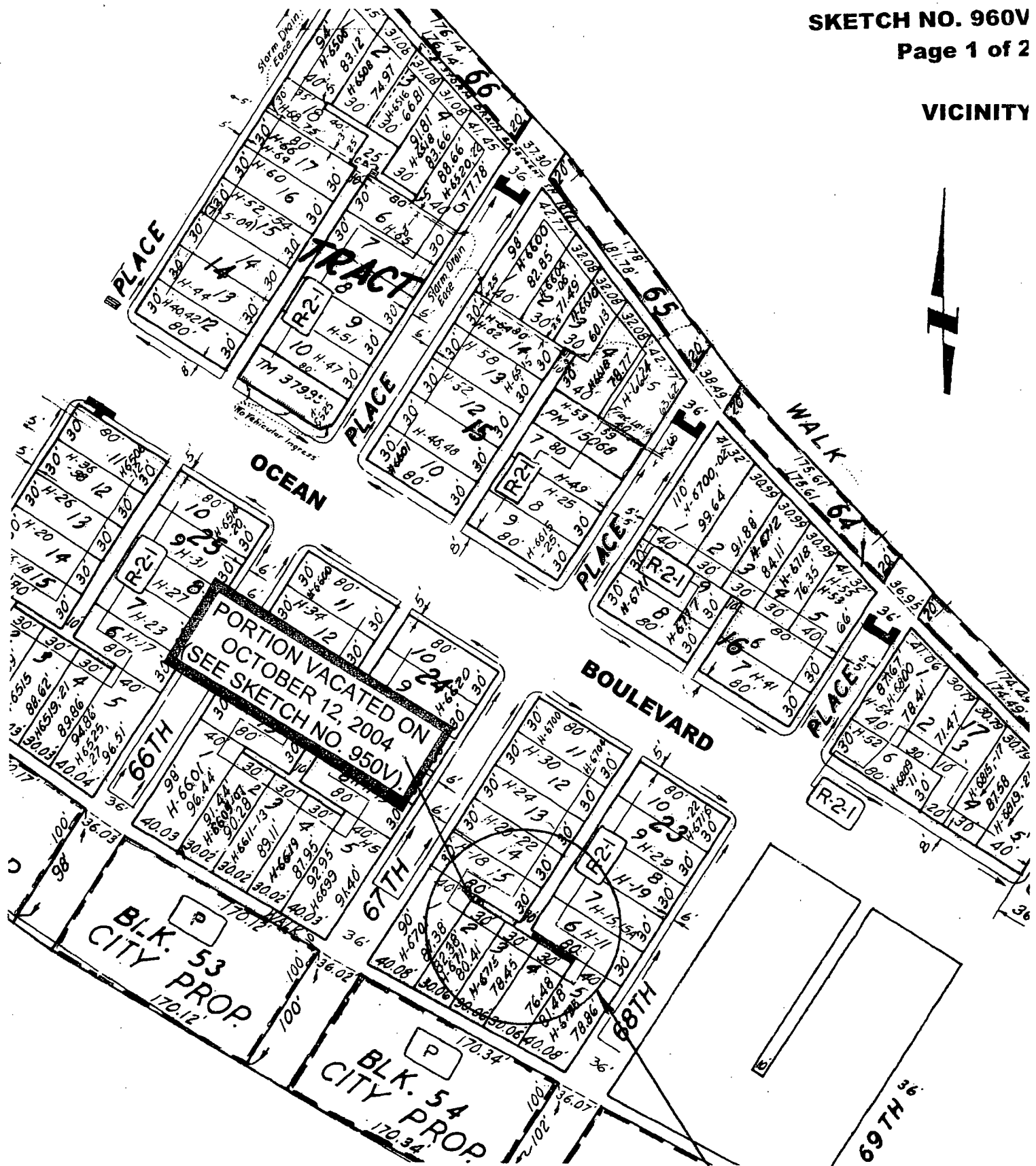
City Clerk

Robert E. Shannon
City Attorney of Long Beach
333 West Ocean Boulevard
Long Beach, California 90802-4664
Telephone (562) 570-2200

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VICINITY



PORTION VACATED ON
 OCTOBER 12, 2004
 (SEE SKETCH NO. 950V)

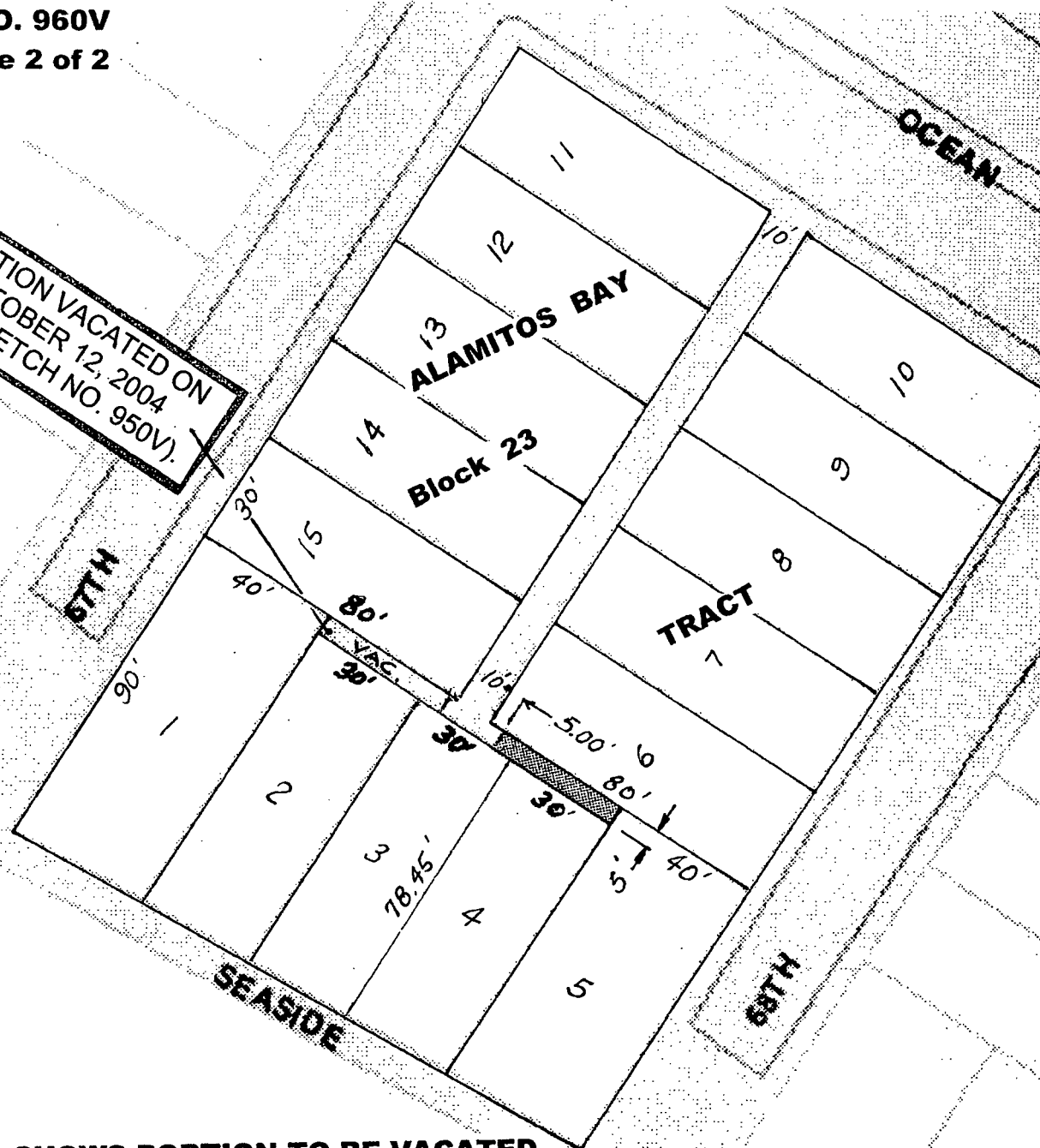
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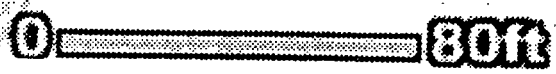
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DETAIL

PORTION VACATED ON
OCTOBER 12, 2004
(SEE SKETCH NO. 950V).



 SHOWS PORTION TO BE VACATED
5 FT x 40 FT



CITY COUNCIL FINDINGS

VACATION OF A PORTION OF THE FIVE-FOOT WIDE ALLEY WEST OF SIXTY-EIGHTH PLACE AND SOUTH OF OCEAN BOULEVARD Reference Sketch No. 960V

1. The subject right-of-way is unnecessary for present or prospective public use.

This finding is based upon the following subfindings:

- a) Those findings stated in the City Manager's letter submitted for the March 8, 2005, City Council meeting regarding the resolution of intention to vacate the subject right-of-way, adopted as RES-05-0009.
- b) The rights-of-way would not be useful for exclusive bikeway purposes.

2. The vacation of said rights-of-way will not have a significantly adverse environmental effect.

This finding is based upon the following subfindings:

- a) The right-of-way is not and will not be needed for public use.
- c) In conformance with the California Environmental Quality Act, Categorical Exemption No. 494-04 was issued for this project.

SC