

January 19, 2021

H-14

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive supporting documentation into the record, conclude the public hearing, find that the area to be vacated is not needed for present or prospective public use; and adopt a Resolution ordering the vacation of the portion of Via Alcalde Avenue, between Via Plata Street and Carson Street, based on the findings and memorializing the conditions imposed on the right-of-way vacation. (District 8)

DISCUSSION

To allow for the construction and operation of a 525,000-square-foot logistics center on the vacant land parcel west of Interstate 710 (I-710) freeway, between Via Plata Street and Carson Street, and incorporate the portion of vacated Via Alcalde Avenue, Intex Properties South Bay Corporation (Intex) (Applicant), at 4000 Via Oro Avenue, requests the vacation of Via Alcalde Avenue (Attachment A). Consistent with California land reversion practices and Chapter 3, General Vacation Procedure, of the Public Streets, Highways, and Service Easements Vacation Law of the California Streets and Highways Code, the vacated portions of the public right-of-way will revert to the adjacent property owner(s). If approved, the vacated property would allow the applicant to incorporate the area into the property development project.

On December 15, 2020, the City Council adopted Resolution No. RES-20-0170, declaring its intention to vacate the identified location, and set January 19, 2020, as the date for the public hearing.

This matter was reviewed by Deputy City Attorney Erin Weesner-McKinley on December 31, 2020 and by Revenue Management Officer Geraldine Alejo on December 28, 2020.

TIMING CONSIDERATIONS

City Council action is requested on January 19, 2021, as the public hearing date was set by the December 15, 2020 City Council action.

FISCAL IMPACT

A final vacation processing fee in the amount of \$3,712 has been requested from the Applicant and will be deposited in the General Fund Group in the Public Works Department. This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities. There is no local job impact associated with this recommendation.

HONORABLE MAYOR AND CITY COUNCIL
January 19, 2021
Page 2

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



ERIC LOPEZ
DIRECTOR OF PUBLIC WORKS

APPROVED:

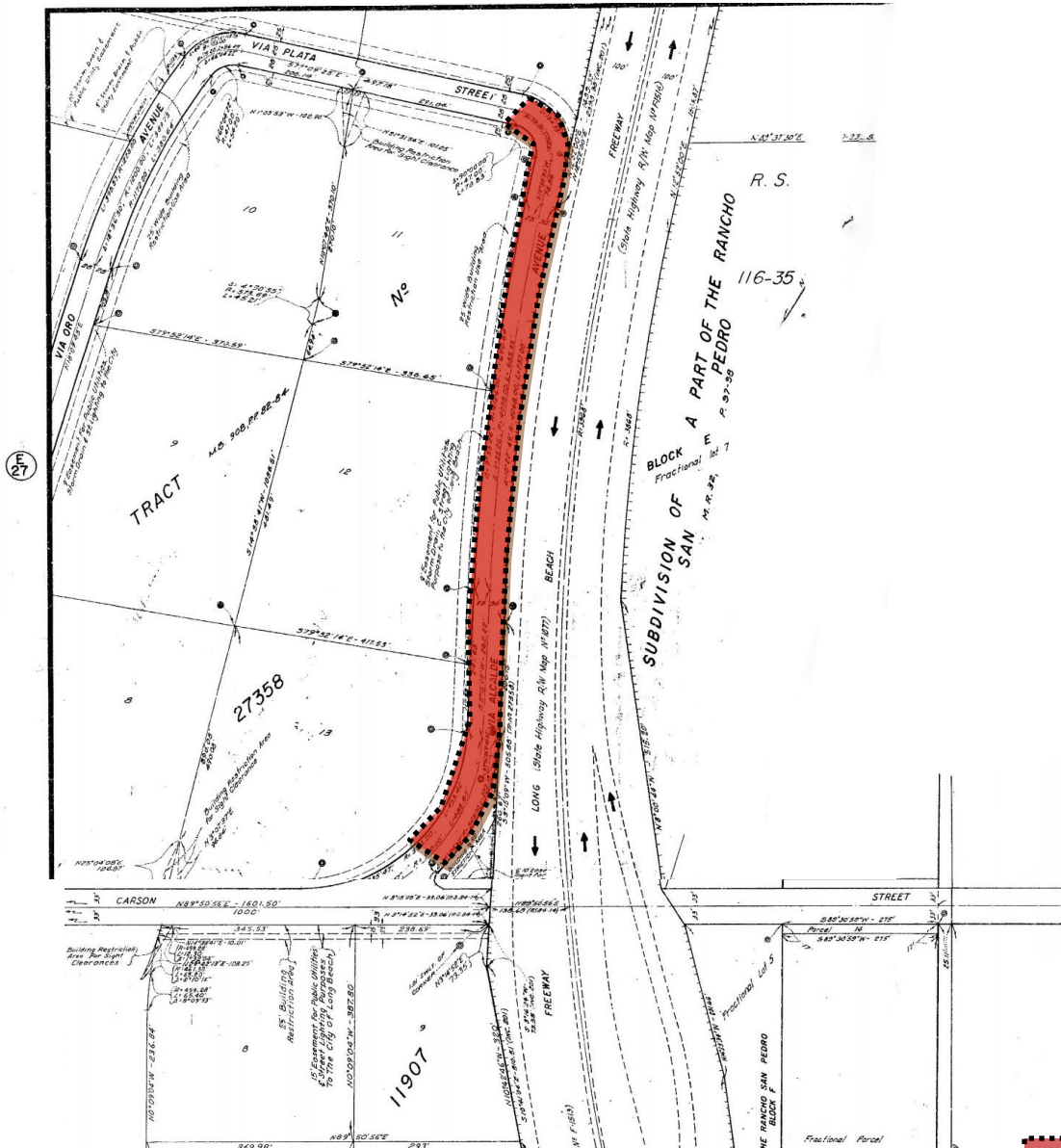



THOMAS B. MODICA
CITY MANAGER

EL:JH:BP:md:ll

ATTACHMENTS: RESOLUTION OF INTENTION TO VACATE
A – VACATION SKETCH

SKETCH NO. 1030V
SKETCH SHOWING PORTION OF VIA ACALDA
AVENUE WITHIN TRACT 27358 TO BE VACATED BY
THE CITY OF LONG BEACH



 SHOWS AREA TO BE VACATED

RECORDATION DATA	
RESOLUTION OF INTENTION	<u>C-20</u>
ADOPTED	<u>December 15, 2020</u>
RESOLUTION VACATING	_____
ADOPTED	_____
RECORDED	_____
DOCUMENT NO.	_____

DEPARTMENT OF PUBLIC WORKS
ENGINEERING BUREAU
CITY OF LONG BEACH, CALIFORNIA
ATTACHMENT A

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Lona Beach, CA 90802-4664

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

RESOLUTION NO.

A RESOLUTION ORDERING THE VACATION OF A PORTION OF VIA ALCALDE AVENUE, BETWEEN VIA PLATA STREET AND CARSON STREET 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 December 15, 2020, by Resolution No. RES-20-0170, declare its intention to order the vacation, pursuant to the provisions of the Public Streets, Highways, and Service Easements Law, a portion of Via Alcalde Avenue, between Via Plata and Carson Street, in the City of Long Beach, County of Los Angeles, State of California, as described on the attached Exhibit "A", and as shown on the attached Exhibit "B"; and

WHEREAS, the City Council did, at said time, fix Tuesday, January 19, 2021, at the hour of 5:00 p.m., as the time and the Civic Chamber, 411 West Ocean Boulevard, in the City of Long Beach, California, as the place for hearing for all persons interested in or objecting to the proposed vacation to appear and be heard or via teleconference pursuant to Executive Order N-29-20 issued by Governor Gavin Newsom. The public had the option to use eComment to provide comments and written comments could also be submitted by email to cityclerk@longbeach.gov; and

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

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

1 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
2 follows:

3 Section 1. Pursuant to the foregoing resolution of intention, the
4 proceedings had thereunder, Vacation Sketch No. 1030V showing a portion of Via
5 Alcalde Avenue, between Via Plata and Carson Street to be vacated by the City of Long
6 Beach attached hereto as Exhibit "D", and the City Council Findings attached hereto as
7 Exhibit "C", said City Council of the City of Long Beach hereby makes its resolution
8 vacating and closing a portion of the street hereinabove described.

9 Section 2. Easement Reservations: Reserving unto the City of Long
10 Beach, its successors and assigns a perpetual easement and right-of-way for emergency
11 access, and a perpetual easement and right of way, at any time or from time to time, to
12 lay, construct, maintain, operate, repair, renew, replace, change the size of and remove
13 the existing utility lines, including, but not limited to, sanitary sewers, storm drains and
14 appurtenant structures, together with all necessary gates, valves, fittings, hydrants and
15 appurtenances for the transportation of water and gas, with the right of ingress to and
16 egress from the same, over, through, under, along and across that certain property
17 vacated herewith; and pursuant to any existing franchises or renewals thereof, or
18 otherwise, to construct, maintain, operate, replace, remove, renew and enlarge lines of
19 conduits, cables, wires, poles and other convenient structures, equipment and fixtures for
20 the operation of telephone lines and other communication lines, and for the transportation
21 or distribution of electric energy, and incidental purposes including access and the right to
22 keep the property free from inflammable materials, and wood growth, and otherwise
23 protect the same from all hazards in, upon and over the part vacated. Access for
24 maintenance of the above-mentioned facilities must be maintained at all times. No
25 improvements shall be constructed within the easement which would impede the
26 operation, maintenance or repair of said facilities. Construction of any improvements,
27 including changes of grade, shall be subject to the prior written approval of all the City
28 departments and public utilities responsible for the above said facilities.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Section 3. That this resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk is hereby instructed to certify to the adoption thereof, and to cause a certified copy to be recorded in the Office of the County Recorder of the County of Los Angeles, California.

I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of _____, 2021 by the following vote:

Ayes:	Councilmembers:	_____

Noes:	Councilmembers:	_____

Absent:	Councilmembers:	_____

Recusal(s):	Councilmembers:	_____

City Clerk

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Lona Beach, CA 90802-4664

EXHIBIT "A"
LEGAL DESCRIPTION FOR
STREET VACATION PURPOSES

That strip of land in the City of Long Beach, County of Los Angeles, State of California, being a portion of Via Alcalde Avenue, as shown per Tract Map No. 27358, recorded in Book 908 of Maps at Pages 82 through 84, inclusive, in the Office of the County Recorder of said County, as amended by a Certificate of Correction recorded as Instrument No. 79-436143 on April 23, 1979 and as Instrument No. 81-770804 on July 31, 1981, both of Official Records of said County, described as follows:

COMMENCING at the intersection of the centerline of Carson Street with the centerline of Via Oro Avenue, as shown by said Tract Map No. 27358;

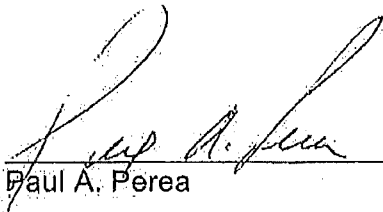
Thence along said centerline of Carson Street North 89°50'56" East, 863.96 feet; Thence leaving said centerline North 00°09'04" West, 112.27 feet to the Westerly Line of said Via Alcalde Avenue, being the **POINT OF BEGINNING**; Thence South 43°28'34" East, 62.44 feet, to the Easterly Line of said Via Alcalde Avenue, being a non-tangent curve concave northwesterly, having a radius of 348.00 feet; Thence along said Easterly line through an angle of 36°34'52", an arc length 222.18 feet (the initial radial line bears South 43°28'34" East); Thence continuing along said Easterly line North 09°56'34" East, 40.82 feet; Thence continuing along said Easterly line North 03°15'09" East, 206.15 feet, to a non-tangent curve concave easterly, having a radius of 4068.00 feet; Thence continuing along said Easterly line through an angle of 10°22'49", an arc length 737.00 feet (the initial radial line bears North 87°32'14" West); Thence continuing along said Easterly line North 12°50'35" East, 74.36 feet, to a tangent curve concave westerly, having a radius of 105.00 feet; Thence continuing along said Easterly line through an angle of 90°00'00", an arc length 164.93 feet, to an angle point therein (the initial radial line bears South 77°09'25" East); Thence South 12°50'35" West, 56.00 feet, to said Westerly Line of via Alcalde Avenue, being a tangent curve concave Southwesterly, having a radius of 47.00 feet; Thence along said Westerly line through an angle of 90°00'00", an arc length 73.83 feet, (the initial radial line bears North 12°50'35" East); Thence continuing along said Westerly line South 12°50'35" West, 76.36 feet, to a tangent curve concave southeasterly, having a radius of 4126.00 feet; Thence continuing along said Westerly line through an angle of 09°35'26", an arc length 690.64 feet, (the initial radial line bears North 77°09'25" West); Thence continuing along said Westerly line South 03°15'09" West, 249.68 feet, to a tangent curve concave westerly, having a radius of 300.00 feet; Thence continuing along said Westerly line through an angle of 43°58'05", an arc length 230.22 feet, to the **POINT OF BEGINNING**, (the initial radial line bears South 86°44'51" East).

The above described parcel of land contains 80,636 square feet and/or 1.85 acres, more or less.

See Exhibit "B" for a plat depicting the above described land, for reference only.

Subject to covenants, conditions, restrictions, reservations, rights-of-way and easements of record, if any.

The real property descriptions have been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.


Paul A. Perea L.S. 6199

03/07/19
Date




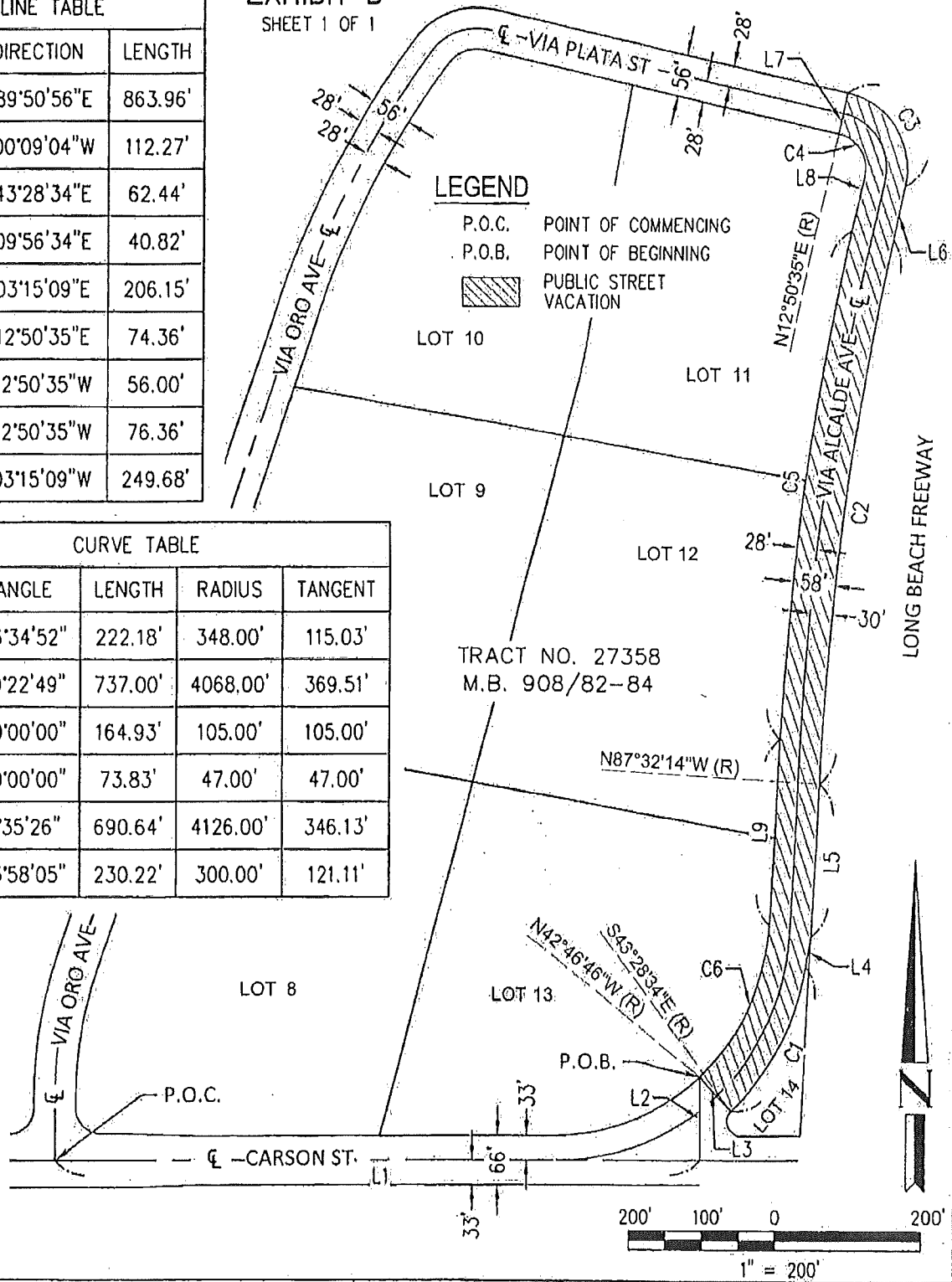
 17782 17th Street Suite 200
Tustin California 92780-1947
Phone: 714.665.4500
DAVID EVANS
AND ASSOCIATES INC.

EXHIBIT "B"
SHEET 1 OF 1

LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N89°50'56"E	863.96'
L2	N00°09'04"W	112.27'
L3	S43°28'34"E	62.44'
L4	N09°56'34"E	40.82'
L5	N03°15'09"E	206.15'
L6	N12°50'35"E	74.36'
L7	S12°50'35"W	56.00'
L8	S12°50'35"W	76.36'
L9	S03°15'09"W	249.68'

CURVE TABLE				
CURVE	ANGLE	LENGTH	RADIUS	TANGENT
C1	36°34'52"	222.18'	348.00'	115.03'
C2	10°22'49"	737.00'	4068.00'	369.51'
C3	90°00'00"	164.93'	105.00'	105.00'
C4	90°00'00"	73.83'	47.00'	47.00'
C5	9°35'26"	690.64'	4126.00'	346.13'
C6	43°58'05"	230.22'	300.00'	121.11'



17782 17th Street Suite 200
Tustin California 92780-1947
Phone: 714.665.4500

**DAVID EVANS
AND ASSOCIATES INC.**

PUBLIC STREET VACATION
FOR VIA ALCALDE AVENUE

CITY OF LONG BEACH, COUNTY OF LOS ANGELES
STATE OF CALIFORNIA

DESIGNED: PAPE
DRAWN: OER
CHECKED: PAPE

ITXP00003001

DATE:
09-06-2018

Drawing Name: P:\ITXP00003001\0400CAD\SV\SHEETS\Legal and Plats\Vacation\SV--ITXP3001-20180906-Exhibit-Alcalde.dwg
 Last Opened: Sep 07, 2018 - 6:10am by: rht

CITY COUNCIL FINDINGS

RIGHT OF WAY VACATION – VIA ALCALDE AVENUE, NORTH OF CARSON STREET, WEST OF INTERSTATE 710 FREEWAY, SOUTH OF VIA PLATA STREET

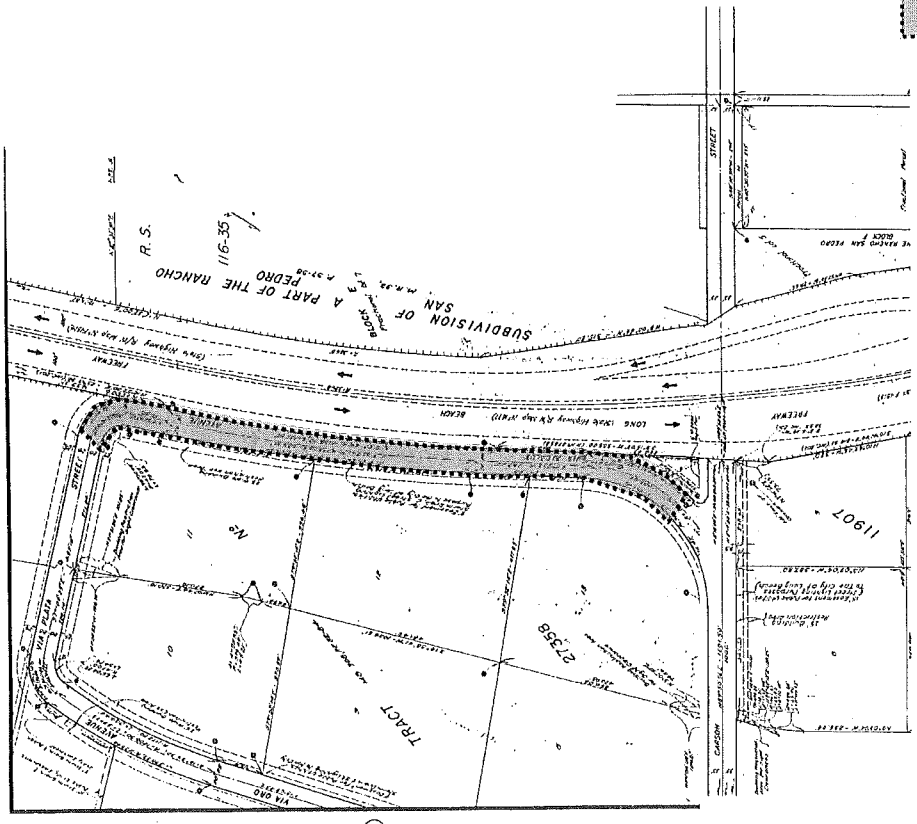
Reference Sketch No. 1030V

The subject right-of-way is unnecessary for present or prospective public use. These findings are based on the following:

- a) Easement shall be reserved for any and all utilities that remain over, across and/or within the vacated right-of-way to ensure access to the public utilities.
- b) A dedication for new cul-de-sac shall be constructed at the terminus of Carson Street and Via Plata to provide for a safe vehicular turnaround.
- c) Easements will be reserved along the full width of the vacated alley for the undergrounded public utilities.
- d) On August 6, 2020, 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.
- e) In compliance with the California Environmental Quality Act (CEQA), per Section 15378 of the CEQA Guidelines, this vacation of said rights-of-way was found to not have an adverse environmental impact.
- f) 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. A utility easement will be reserved in the portion of the alley vacated.
- g) The right-of-way would not be useful for exclusive bikeway purposes.

SKETCH NO. 1030V
SKETCH SHOWING PORTION OF VIA ACALDA
AVENUE WITHIN TRACT 27368 TO BE VACATED BY
THE CITY OF LONG BEACH

DEPARTMENT OF PUBLIC WORKS
ENGINEERING BUREAU
CITY OF LONG BEACH, CALIFORNIA
ATTACHMENT D



SHOWS AREA TO
 BE VACATED

