



CITY OF LONG BEACH

DEPARTMENT OF PUBLIC WORKS

333 WEST OCEAN BOULEVARD • LONG BEACH, CA 90802 • (562) 570-6383 • FAX (562) 570-6012

February 7, 2017

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt a Resolution of Intention to vacate the unpaved alley west of Cedar Avenue between La Reina Way and 7th Street; set the date of March 14, 2017, for the public hearing on the vacation; and,

Accept Categorical Exemption No. 16-228. (District 1)

DISCUSSION

The City of Long Beach requests to vacate the unpaved alley west of Cedar Avenue between La Reina Way and 7th Street (Exhibit A) to allow for the maintenance of the unused property by adjacent property owners. Consistent with California land reversion practices, the vacated portions of the alley will revert back to the adjacent property owners.

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 alley is unnecessary for present or prospective public use (Exhibit B). The Public Works Department (PW) supports this vacation based on findings that the dedicated alley is unnecessary for present or prospective public use.

On December 1, 2016, the Planning Commission determined the subject vacation action is consistent with the General Plan (Exhibit C). In conformance with the California Environmental Quality Act, Categorical Exemption Number 16-228 was issued for this vacation (Exhibit D).

The interested City departments, including Traffic Engineering, Fire and Police have reviewed the proposed alley vacation and have no objections to this action. Conditions of approval, satisfying the concerns of the public utility companies are attached (Exhibit E). An easement must be reserved.

A public hearing on this matter is to be held on March 14, 2017, and will allow all persons interested in, or objecting to, the proposed vacation to appear and be heard. At that time, the City Council will deliberate and take action on the proposed vacation.

This matter was reviewed by Deputy City Attorney Linda T. Vu on December 29, 2016 and by Budget Analysis Officer Julissa Jose-Murray on January 9, 2017.

TIMING CONSIDERATIONS

City Council action is requested on February 7, 2017, to set a hearing date on this matter for March 14, 2017.

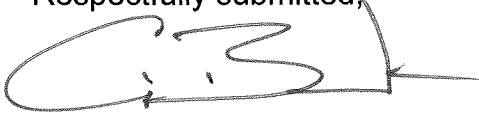
FISCAL IMPACT

A tentative fee was not collected because this vacation was initiated by the City. There is no local job impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



CRAIG A. BECK
DIRECTOR OF PUBLIC WORKS

APPROVED:



PATRICK H. WEST
CITY MANAGER

EL:SDJ

- ATTACHMENTS:
- EXHIBIT A – VACATION SKETCH No. 1022V
 - EXHIBIT B – CITY COUNCIL FINDINGS
 - EXHIBIT C – PLANNING COMMISSION FINDINGS
 - EXHIBIT D – CEQA 16-228
 - EXHIBIT E – CONDITIONS OF APPROVAL
 - RESOLUTION

SKETCH 1022V

RECORD DATA:

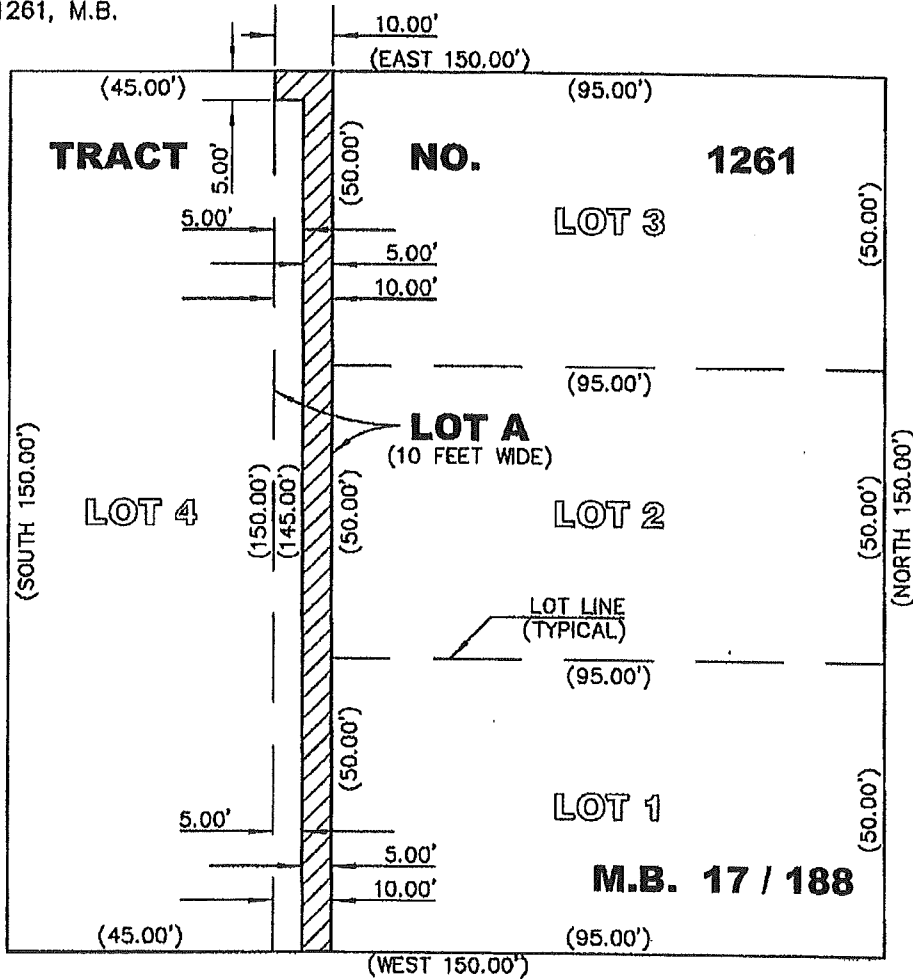
() - INDICATES RECORD OR CALCULATED DATA PER TRACT NO. 1261, M.B. 17/188.

LA REINA WAY

(ALLEY - 10 FEET WIDE)

DEL REY COURT
(ALLEY - 16 FEET WIDE)

CEDAR AVENUE
(80 FEET WIDE)



LEGEND:

- INDICATES AREA OF VACATION: 775 S.F.

SEVENTH STREET

(80 FEET WIDE)

SURVEYOR'S STATEMENT:

THIS EXHIBIT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION.

TREVOR D. RICE
SIGNED: 06/20/16

P.L.S. NO. 8862



NOTE:

LOT A OF TRACT NO. 1261, M.B. 17/188, WAS DEEDED TO THE CITY OF LONG BEACH BY ROSA HELLER PER DEED RECORDED JULY 7, 1915 IN BOOK 6068, PAGE 116 OF DEEDS.

D. Woolley & Associates™

2832 WALNUT AVENUE, SUITE A
TUSTIN, CA 92780

(714) 734-8462 FAX (714) 508-7521

SHEET 1 OF 1

DATE: 06/20/16

DRAWN BY: BJM

CHKD. BY: TDR

FILE NO.: 15201.13

0' 30' 60'

SCALE: 1" = 30'



CITY COUNCIL FINDINGS

VACATION OF THE ALLEY WEST OF CEDAR AVENUE BETWEEN LA REINA WAY AND 7TH STREET

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

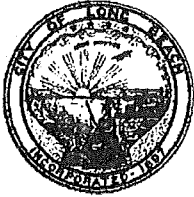
This finding is based upon the following subfindings:

- a) On December 1, 2016, the Planning Commission determined that the subject vacation is consistent with the General Plan, as required in Section 8313 of the Public Streets, Highways and Service Easements Vacation Law;
 - b) The interested City departments, including Traffic Engineering, Fire and Police, have reviewed the proposed right-of-way vacation and have no objections to this action;
 - c) The rights-of-way would not be useful for exclusive bicycle pathway 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.
- d) In conformance with the California Environmental Quality Act, Categorical Exemption Number 16-228 was issued for this project.

EXHIBIT B



CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Boulevard, 5th Floor • Long Beach, CA 90802 • (562) 570-6194 FAX (562) 570-6068

December 1, 2016

CHAIR AND PLANNING COMMISSIONERS
City of Long Beach
California

RECOMMENDATION:

Accept Categorical Exemption CE 16-228 and find the proposed vacation of the City alley west of Cedar Avenue between La Reina Way to the north and 7th Street to the south in conformance with the adopted goals and policies of the City's General Plan. (District 1)

APPLICANT: Department of Public Works
Sherbert Jones
333 W. Ocean Boulevard
Long Beach, CA 90802
(Application No. 1609-17)

DISCUSSION

The subject request pertains to a 5-foot-wide alley running north-south between La Reina Way and 7th Street (Exhibit A – Location Map). The majority of the alley measures 145 feet long by 5 feet wide and a small portion measuring 5 feet long by 10 feet wide. The alley is bounded by a privately-owned, residential-developed parcel to the west (327 W. 7th Street) and four privately-owned, residential-developed parcels to the east (307 W. 7th Street, 701 Cedar Avenue, 711 Cedar Avenue, and 719 Cedar Avenue) (Exhibit B – Alley Plan). The alley currently provides no vehicular access to these parcels, and no development is proposed with this application.

The alley lies within Subarea 1 of the Wilmore City Planned Development District (PD 10), which is intended to preserve and rehabilitate historic structures, and serve the housing resources of downtown by containing a mixture of housing densities and limited commercial professional office and personal service uses which are compatible with primarily residential neighborhoods. The properties abutting the alley are developed with uses permitted in this subarea. Vacation of the subject alley would not increase the potential for expansion of a nonconforming use.

General Plan Consistency Findings

Before an application for vacation can go before the City Council, a finding of conformity with the maps and policies of the Long Beach General Plan must be made by the Planning Commission. The General Plan consists of 11 elements and each element carries the same authority concerning land use issues. All elements of the General Plan were considered and staff finds this vacation to be in conformance with all applicable elements. A review of the relevant elements and specific General Plan consistency findings are presented below.

Land Use Element

The Land Use Element divides the City into 21 land use districts, which provide general guidance as to the appropriate type and density of land uses. The alley is located within Land Use District Number 4 – High Density Residential (LUD 4). LUD 4 encourages an intensification of dwelling units in limited areas of the City where apartments and condominium lifestyles are logically related to transportation and services. Vacation of the subject alley would revert the land to private ownership. As all abutting parcels are developed with residential uses consistent with LUD 4, vacation of the alley would conform to the Land Use Element.

Mobility Element

The City's Mobility Element is aimed at transforming Long Beach into a community that offers flexible, convenient, affordable, and energy-efficient transportation options for residents and visitors alike. The alley to be vacated is regarded by the Department of Public Works as no longer necessary for present or prospective public use or convenience. Existing north-south rights-of-way providing vehicular and pedestrian access are located approximately 50 feet west and 95 feet east of the alley. Alley abandonment would therefore not prove detrimental to the movement of people and goods through the area.

ENVIRONMENTAL REVIEW

In accordance with the guidelines for implementing the California Environmental Quality Act (CEQA), Categorical Exemption CE 16-228 was issued for the proposed project (Exhibit C – Categorical Exemption).

Exhibit D



NOTICE of EXEMPTION from CEQA

CITY OF LONG BEACH | DEPARTMENT OF DEVELOPMENT SERVICES
333 W. OCEAN BLVD., 5TH FLOOR, LONG BEACH, CA 90802
(562) 570-6194 FAX: (562) 570-6088
lbsd.longbeach.gov

TO: Office of Planning & Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

FROM: Department of Development Services
333 W. Ocean Blvd, 5th Floor
Long Beach, CA 90802

L.A. County Clerk
Environmental Fillings
12400 E. Imperial Hwy., Room 1201
Norwalk, CA 90850

Project Title: CE- 16-228

Project Location/Address: alley west of Cedar Avenue north of 7th Street

Project Activity/Description: property is currently an unused
unused alley

Public Agency Approving Project: City of Long Beach, Los Angeles County, California

Applicant Name: Sherbert Jones

Mailing Address: 333 West Ocean Blvd, 10th floor, Long Beach, CA 90802

Phone Number: 562 570-6975

Applicant Signature: [Signature]

BELOW THIS LINE FOR STAFF USE ONLY

Application Number: 1609-17 Planner's Initials: NV

Required Permits: General Plan Conformity Finding

THE ABOVE PROJECT HAS BEEN FOUND TO BE EXEMPT FROM CEQA IN ACCORDANCE WITH
STATE GUIDELINES SECTION 15304, Class 4 Minor Alteration to Land

Statement of support for this finding: Minor Alley Vacation

Contact Person: Nick Vasuthasawat Contact Phone: 562 570-6410

Signature: [Signature] Date: 10/3/16



CONDITIONS OF APPROVAL

SKETCH NO. 1016V

The following conditions of approval applies to the vacation of the alley west of Cedar Avenue between La Reina Way and 7th Street:

1. An easement for utility purposes shall be reserved. No building may be constructed within the easement area.
2. Adjacent property owners shall become responsible for maintaining the vacated property immediately after City Council approval.

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

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RESOLUTION NO.

A RESOLUTION OF INTENTION TO VACATE THE ALLEY WEST OF CEDAR AVENUE BETWEEN LA REINA WAY AND 7TH STREET, IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, PURSUANT TO THE PUBLIC STREET, HIGHWAYS AND SERVICE EASEMENTS LAW (DIVISION 9, PART 3, CALIFORNIA STREETS AND HIGHWAYS CODE); FIXING A TIME AND PLACE FOR HEARING ALL PERSONS INTERESTED IN OR OBJECTING TO THE PROPOSED VACATION

The City Council of the City of Long Beach resolves as follows:

Section 1. The City Council of the City of Long Beach hereby elects to proceed under Division 9, Part 3, Chapter 3, of the California Streets and Highways Code (Section 8320 *et seq.*), as amended, generally known and referred as the "Public Street, Highways and Service Easements Law", and hereby declares its intention to vacate the alley west of Cedar Avenue between La Rein Way and 7th Street, in the City of Long Beach, County of Los Angeles, State of California, described more particularly as follows:

IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, BEING A PORTION OF LOT A OF TRACT NO. 1261, AS SHOWN ON THE MAP RECORDED IN BOOK 17, PAGE 188 OF MAPS, RECORDS OF LOS ANGELES COUNTY, CALIFORNIA AND DEEDED TO THE CITY OF LONG BEACH BY ROSA HELLER PER DEED RECORDED JULY 7, 1915 IN BOOK 6068, PAGE 116 OF DEEDS, DESCRIBED AS FOLLOWS:

LOT A EXCEPTING THEREFROM THE SOUTH 145 FEET OF THE

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

1 WEST HALF. CONTAINING 775 SQUARE FEET, MORE OR LESS.
2 RESERVING UNTO THE CITY OF LONG BEACH, ITS
3 SUCCESSORS AND ASSIGNS A PERPETUAL EASEMENT AND RIGHT-
4 OF-WAY FOR EMERGENCY ACCESS, AND A PERPETUAL EASEMENT
5 AND RIGHT OF WAY, AT ANY TIME OR FROM TIME TO TIME, TO LAY,
6 CONSTRUCT, MAINTAIN, OPERATE, REPAIR, RENEW, REPLACE,
7 CHANGE THE SIZE OF AND REMOVE THE EXISTING UTILITY LINES,
8 INCLUDING, BUT NOT LIMITED TO, SANITARY, SEWERS, STORM
9 DRAINS AND APPURTENANT STRUCTURES, TOGETHER WITH ALL
10 NECESSARY GATES, VALVES, FITTINGS, HYDRANTS AND
11 APPURTENANCES FOR THE TRANSPORTATION OF WATER AND
12 GAS, WITH THE RIGHT OF INGRESS TO AND EGRESS FROM THE
13 SAME, OVER, THROUGH, UNDER, ALONG AND ACROSS THAT
14 CERTAIN PROPERTY VACATED HEREWITH; AND PURSUANT TO ANY
15 EXISTING FRANCHISES OR RENEWALS THEREOF, OR OTHERWISE,
16 TO CONSTRUCT, MAINTAIN, OPERATE, REPLACE, REMOVE, RENEW
17 AND ENLARGE LINES OF CONDUITS, CABLES, WIRES, POLES AND
18 OTHER CONVENIENT STRUCTURES, EQUIPMENT AND FIXTURES
19 FOR THE OPERATION OF TELEPHONE LINES AND OTHER
20 COMMUNICATION LINES, AND FOR THE TRANSMISSION OR
21 DISTRIBUTION OF ELECTRIC ENERGY, AND INCIDENTAL PURPOSES
22 INCLUDING ACCESS AND THE RIGHT TO KEEP THE PROPERTY FREE
23 FROM INFLAMMABLE MATERIALS, AND WOOD GROWTH, AND
24 OTHERWISE PROTECT THE SAME FROM ALL HAZARDS IN, UPON
25 AND OVER THE PART VACATED. ACCESS FOR MAINTENANCE OF
26 THE ABOVE-MENTIONED FACILITIES MUST BE MAINTAINED AT ALL
27 TIMES. NO IMPROVEMENTS SHALL BE CONSTRUCTED WITHIN THE
28 EASEMENT WHICH WOULD IMPEDE THE OPERATION,

1 MAINTENANCE OR REPAIR OF SAID FACILITIES. CONSTRUCTION OF
2 ANY IMPROVEMENTS, INCLUDING CHANGES OF GRADE, SHALL BE
3 SUBJECT TO THE PRIOR WRITTEN APPROVAL OF ALL THE CITY
4 DEPARTMENTS AND PUBLIC UTILITIES RESPONSIBLE FOR THE
5 ABOVE SAID FACILITIES.

6 Section 2. All of the foregoing real property is shown on the map or plan
7 thereof, attached hereto as Exhibit "A", and on file in the office of the City Clerk, which
8 map or plan is known and referred to as "City of Long Beach Department of Public Works
9 Vacation Sketch No. 1022V".

10 Section 3. The City Council hereby fixes March 14, 2017 at the hour of
11 5:00 p.m., as the time and the City Council Chamber, Plaza Level of the City Hall, 333
12 West Ocean Boulevard, in the City of Long Beach, California, as the place for hearing all
13 persons interested in or objecting to the proposed vacation.

14 Section 4. The City Council hereby directs that notice of said hearing on
15 this proposed street vacation be published for at least two (2) successive weeks prior to
16 the hearing and in the manner provided by Section 8322 of the State Streets and
17 Highways Code.

18 Section 5. The City Council hereby directs that notice of this street
19 vacation be posted conspicuously along the street proposed to be vacated at least two
20 (2) weeks before the date set for hearing and in the manner provided by Section 8323 of
21 the State Streets and Highways Code.

22 Section 6. This resolution shall take effect immediately upon its adoption
23 by the City Council, and the City Clerk shall certify to the vote adopting this resolution.

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OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

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I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of _____, 2017 by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk

SKETCH 1022V

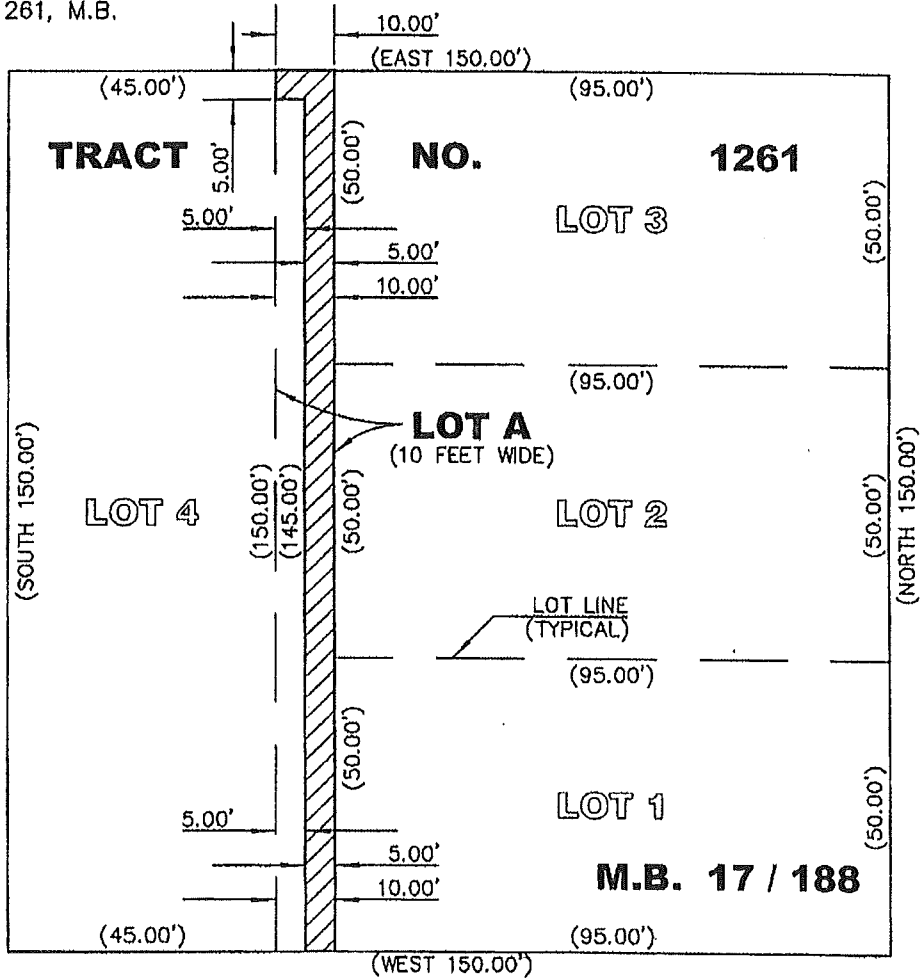
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LA REINA WAY

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(ALLEY - 16 FEET WIDE)



CEDAR AVENUE
(80 FEET WIDE)

LEGEND:

- INDICATES AREA OF VACATION: 775 S.F.

SEVENTH STREET

(80 FEET WIDE)

SURVEYOR'S STATEMENT:

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SIGNED: 06/20/16

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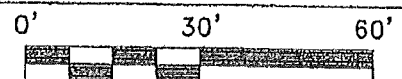
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