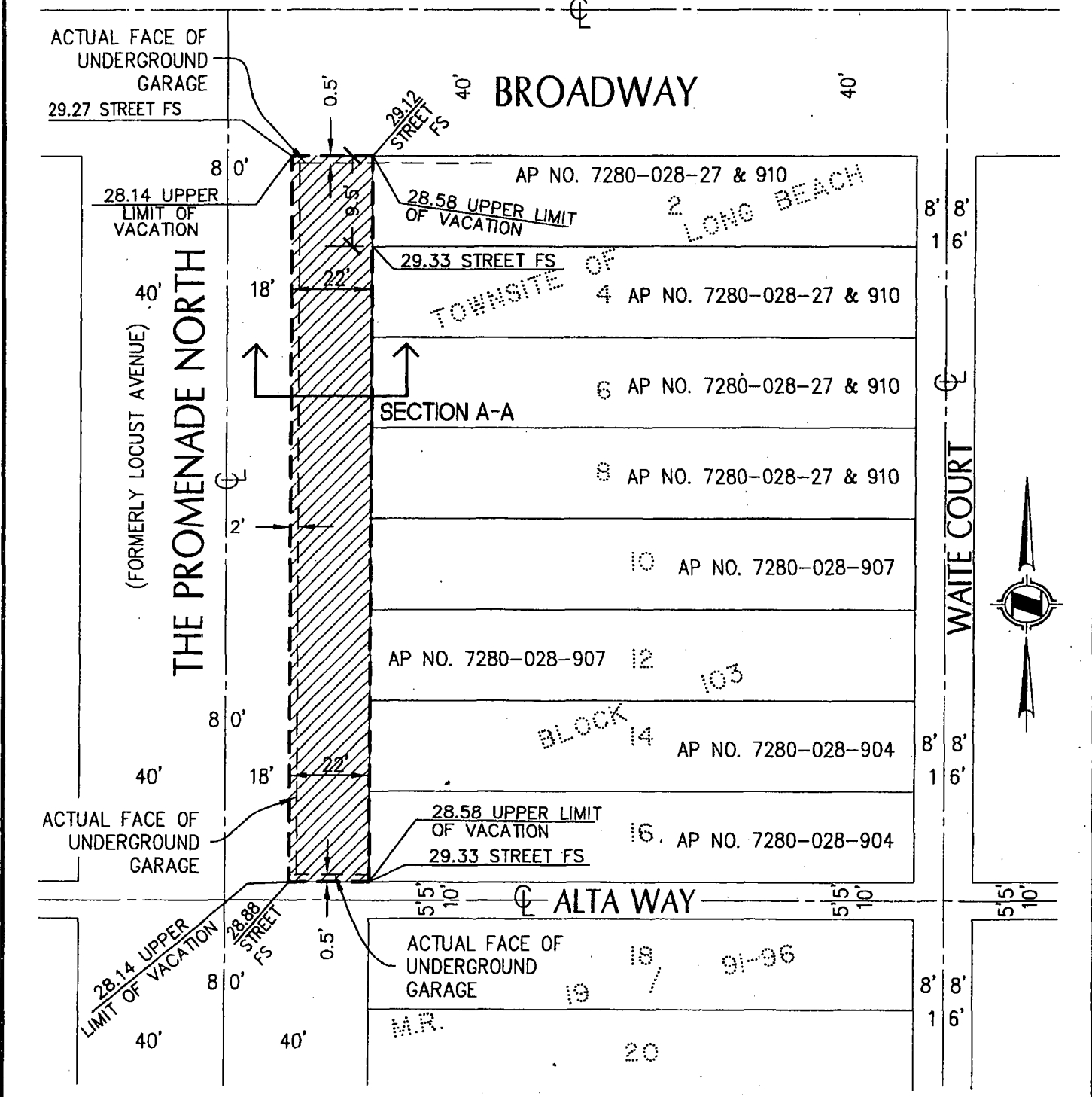



Sketch to Accompany Legal Description

THE UPPER ELEVATIONS OF THIS VACATION BEING A PLANE ESTABLISHED BY ELEVATIONS 28.58 FEET AND 28.14 FEET ABOVE MEAN SEA LEVEL AS SHOWN HEREON. SAID VACATION HAS NO LOWER LIMITS.

BENCHMARK: CITY OF LONG BEACH
BENCH MARK NO. 1386
ELEV. 29.503
DATUM: NGVD 29 1985 CLB ADJUSTMENT

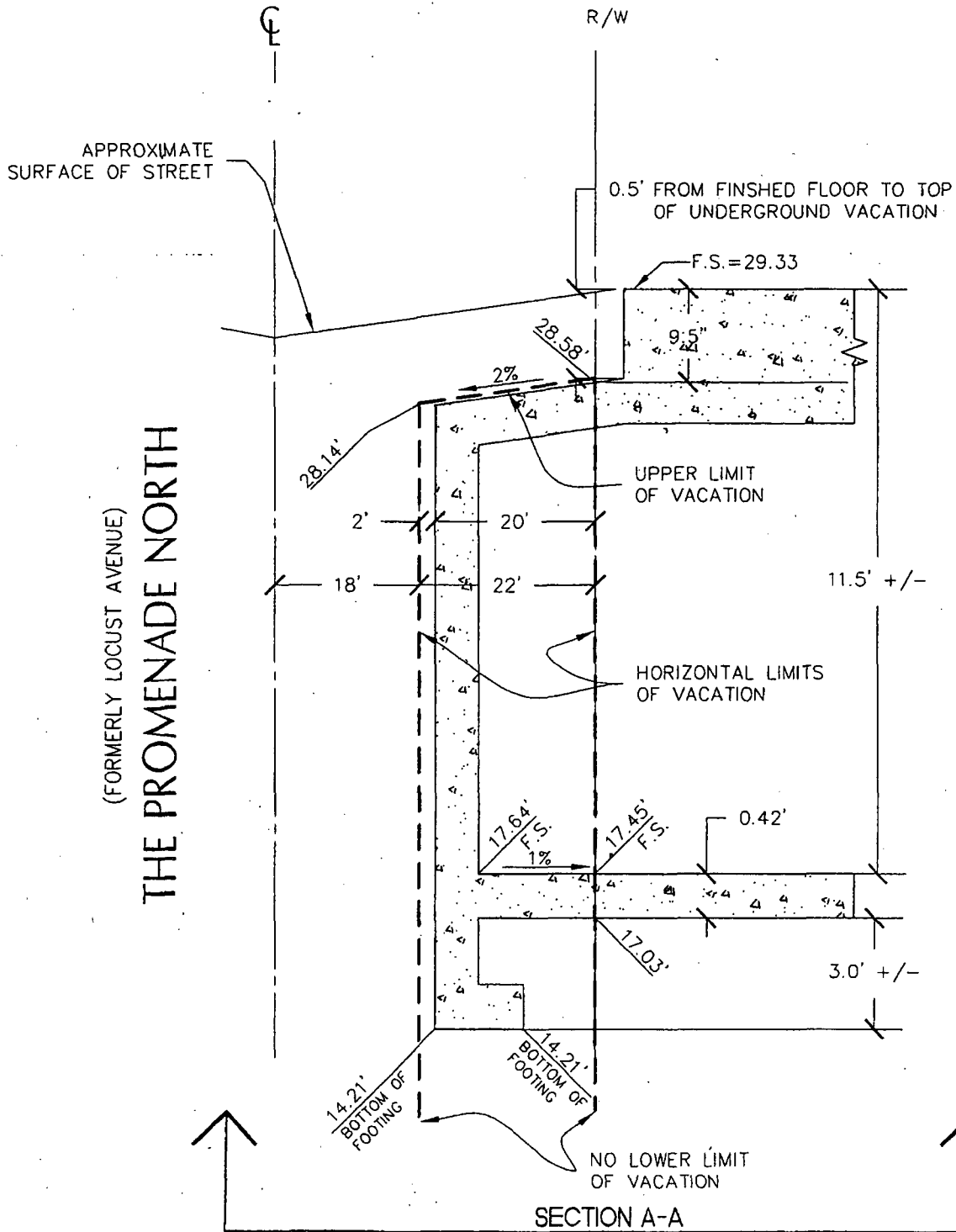


 HUNSAKER & ASSOCIATES IRVINE, INC. PLANNING ■ ENGINEERING ■ SURVEYING Three Hughes • Irvine, CA 92618 • PH: (949) 583-7010 • FX: (949) 583-0759		VACATION OF A SUBTERRANEAN PORTION OF THE PROMENADE	
DATE: 3-29-05	REV. DATE: 12-22-05	DWG. By: T. VO	CK'd By: J. STABLEIN
FILE: I:\Promenade\LD\6333\SHT01.dwg		SCALE: 1" = 40'	H&A LEGAL No. 6333

SECTION

SKETCH NO. 967V

Page 2 of 6



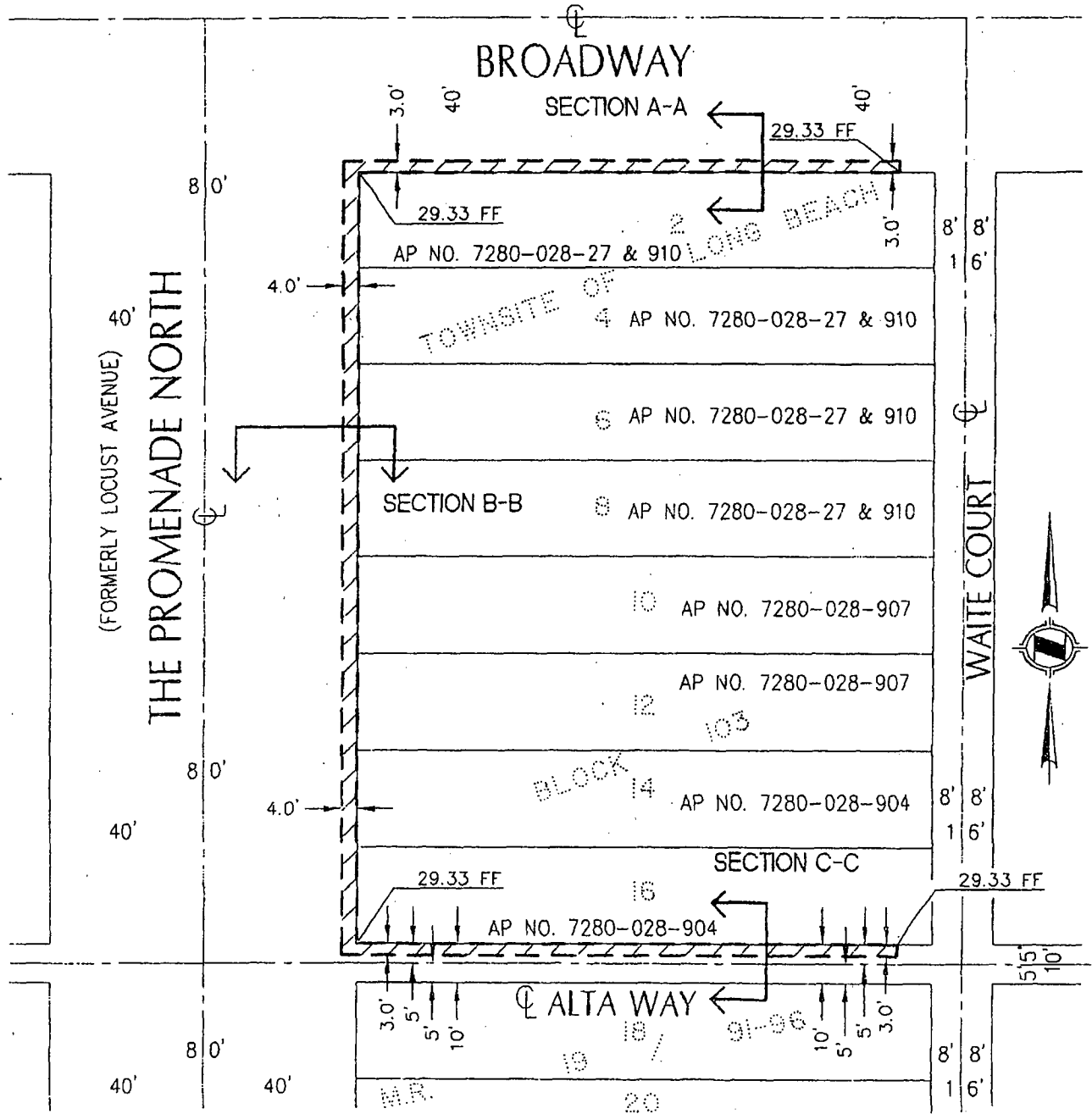
HUNSAKER & ASSOCIATES
 IRVINE, INC.
 PLANNING ■ ENGINEERING ■ SURVEYING
 Three Hughes • Irvine, CA 92618 • PH: (949) 583-1010 • FX: (949) 583-0759

VACATION OF A SUBTERRANEAN PORTION OF THE PROMENADE

DATE: 7-20-05	REV. DATE: 12-22-05	DWG By: R. WHEELER	CK'd By: R. WILLIAMS	SCALE: NTS
FILE: I:\Promenade\LD\6333\SHT02.dwg				H&A LEGAL No. 6333

THE UPPER ELEVATIONS OF THIS VACATION BEING A PLANE ESTABLISHED BY ELEVATION 89.33 FEET ABOVE MEAN SEA LEVEL AS SHOWN HEREON. THE LOWER LIMIT OF THIS VACATION BEING A PLANE ESTABLISHED BY ELEVATION 42.83 FEET ABOVE MEAN SEA LEVEL.

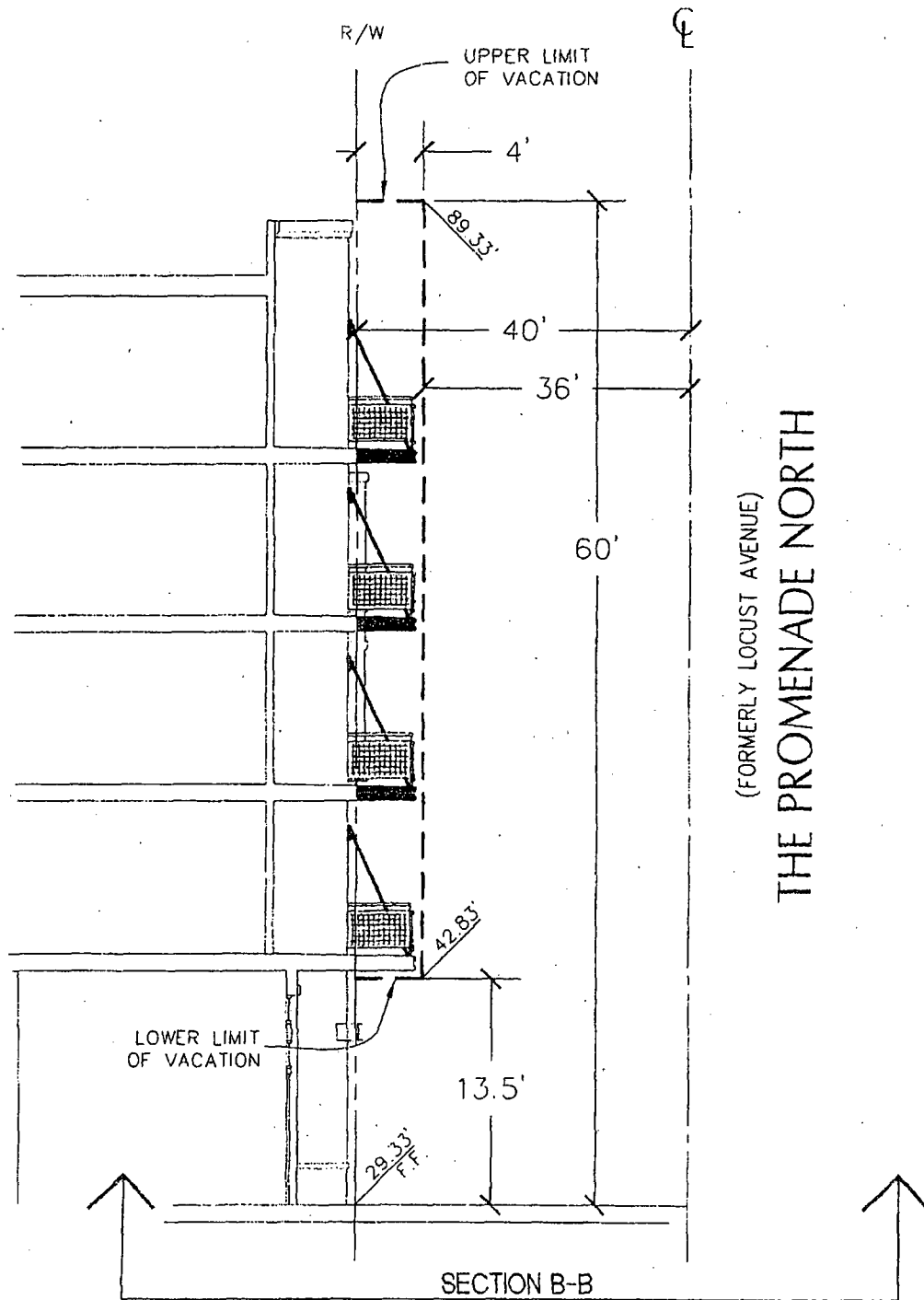
BENCHMARK: CITY OF LONG BEACH
BENCH MARK NO. 1386
ELEV. 29.503
DATUM: NGVD 29 1985 CLB ADJUSTMENT



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VACATION OF AERIAL PORTIONS OF THE PROMENADE, BROADWAY AND ALTA WAY

DATE: 10-24-05	REV. DATE	DWG. By: R. WHEELER	CK'd By: R. WILLIAMS	SCALE: 1" = 40'
FILE: I:\Promenade\LD\6516\SHT01.dwg				H&A LEGAL No. 6516



H&A HUNSAKER & ASSOCIATES
 IRVINE, INC.
 PLANNING ■ ENGINEERING ■ SURVEYING
 Three Hughes • Irvine, CA 92618 • PH: (949) 583-1010 • FX: (949) 583-0759

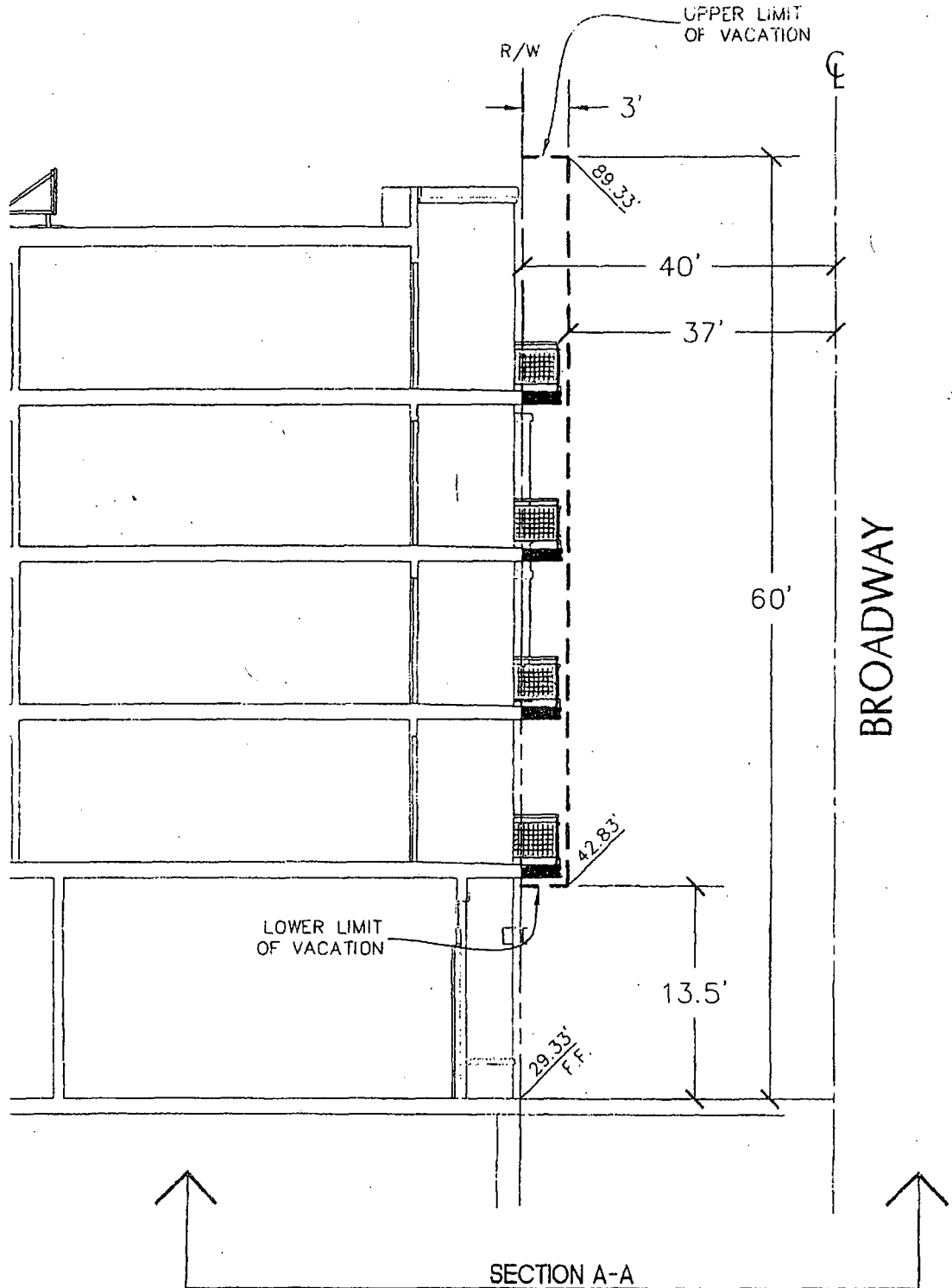
DETAIL OF AERIAL PORTION OF THE PROMENADE TO BE VACATED

DATE: 10-24-05	REV. DATE:	DWC By: R. WHEELER	CK'd By: R. WILLIAMS	SCALE: NTS	W.O. 1108-48
FILE: I:\Promenade\LD\6516\SHT03.dwg			H&A LEGAL No. 6516		SHEET 3 OF 4

SECTION

SKETCH NO. 967V

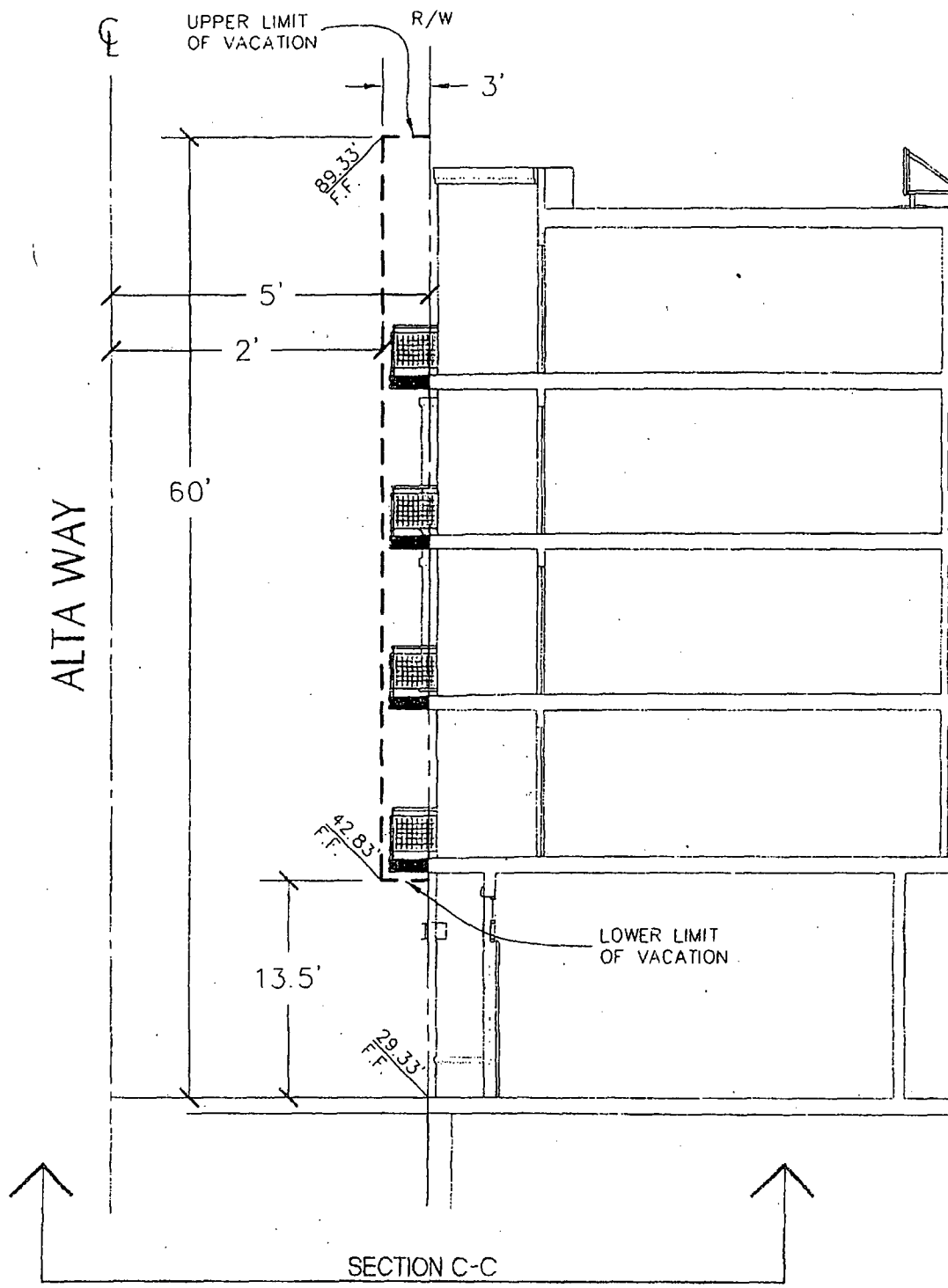
Page 5 of 6



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DETAIL OF AERIAL PORTION OF BROADWAY TO BE VACATED

DATE: 10-24-05	REV. DATE	DWG. By: R. WHEELER	CK'd By: R. WILLIAMS	SCALE: NTS
FILE: I:\Promenade\LD\6516\SHT02.dwg			H&A LEGAL No. 6516	



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**DETAIL OF AERIAL PORTION OF
 ALTA WAY TO BE VACATED**

DATE: 10-24-05	REV. DATE	DWG By: R. WHEELER	CK'd By: R. WILLIAMS	SCALE: NTS
FILE: i:\Promenade\LD\6516\SHT04.dwg				H&A LEGAL No. 6516

PERSPECTIVE DRAWING OF PROJECT
SHOWING BALCONIES OVER THE PROMENADE AND BROADWAY

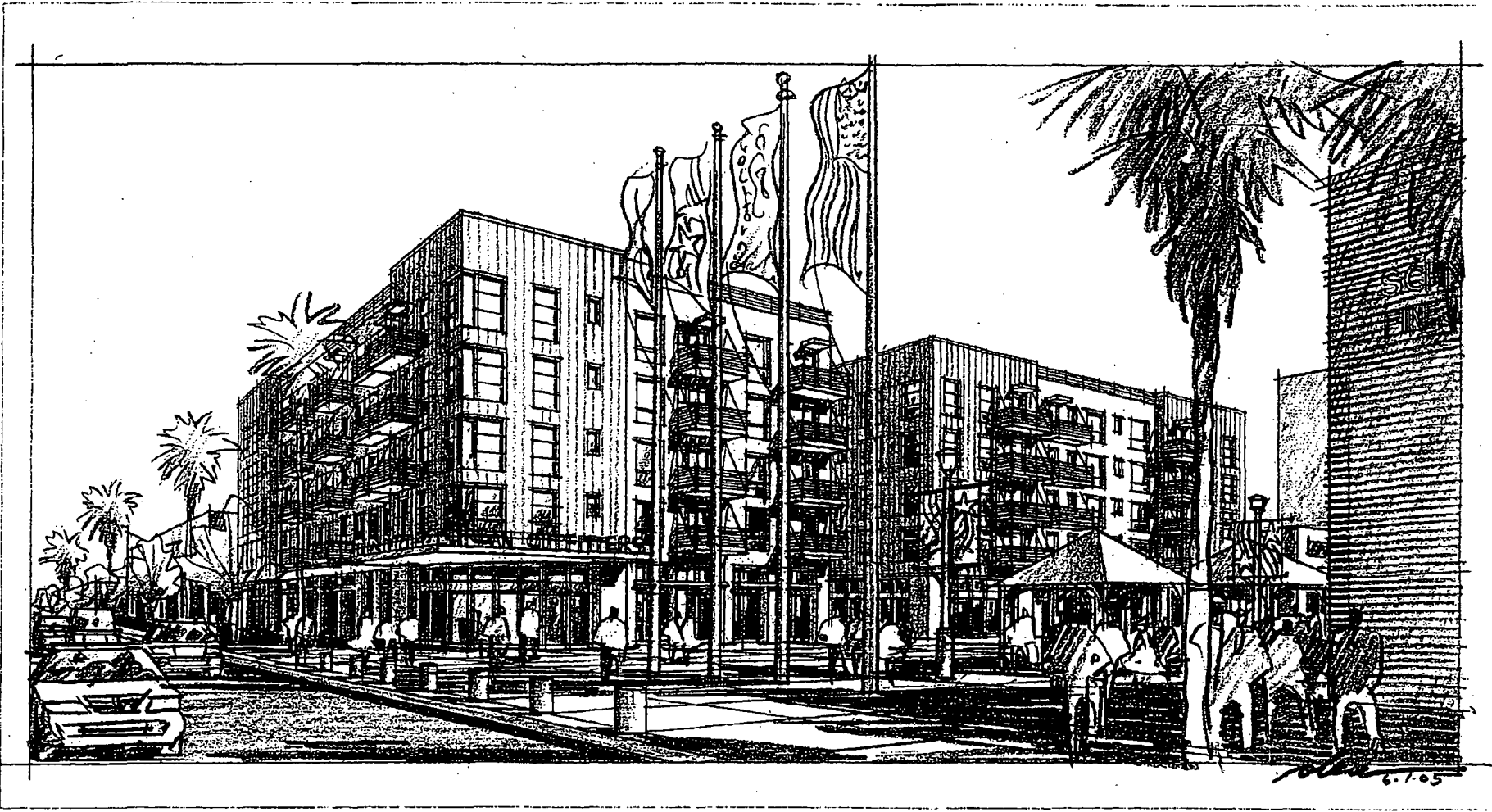
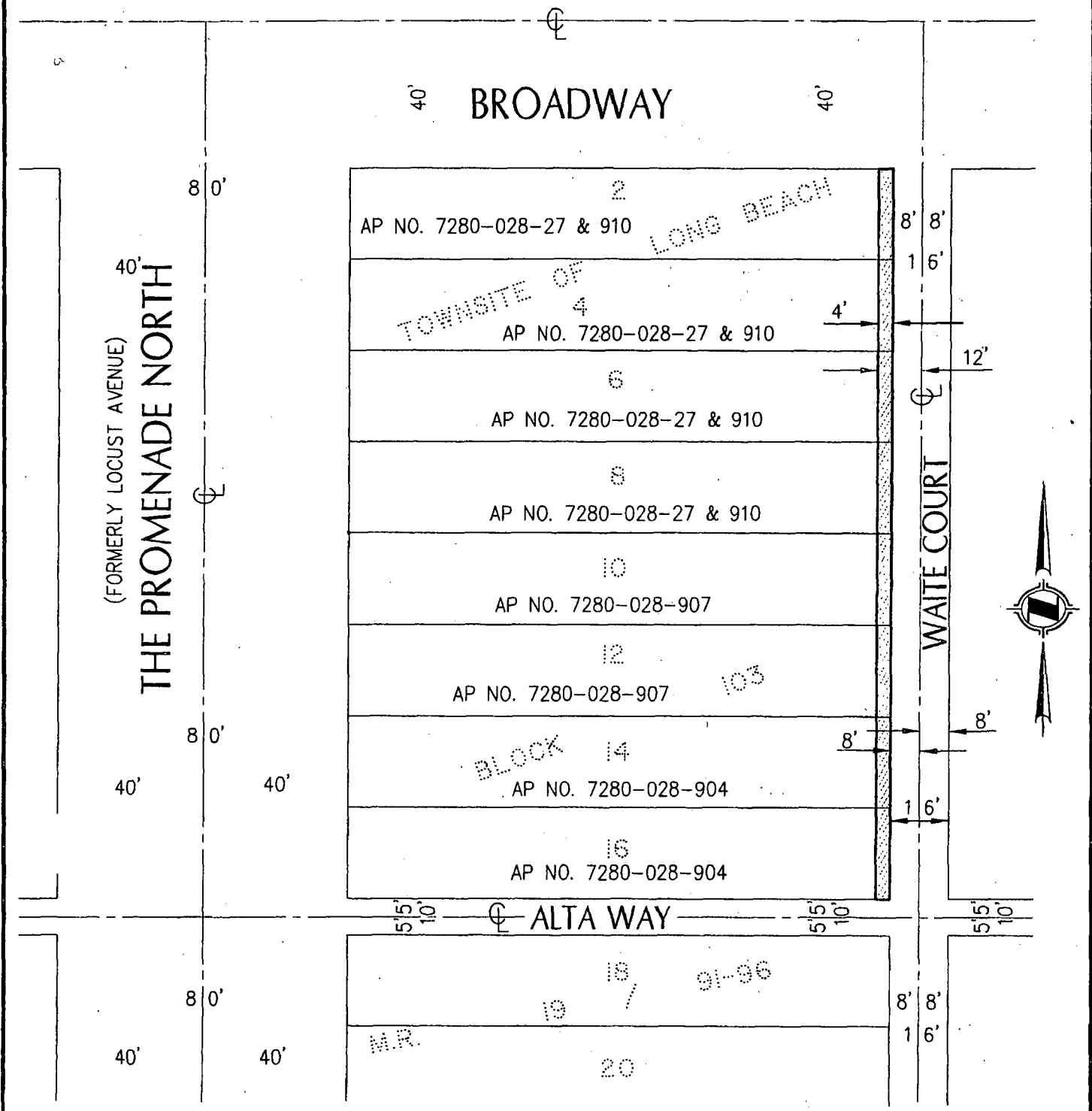


EXHIBIT B

VIEW FROM 3RD STREET AND THE PROMENADE

EXHIBIT "B"

Sketch to Accompany Legal Description



HUNSAKER & ASSOCIATES IRVINE, INC. PLANNING ■ ENGINEERING ■ SURVEYING Three Hughes • Irvine, CA 92618 • PH: (949) 583-1010 • FX: (949) 583-0759		PUBLIC STREET RIGHT OF WAY FOR A PORTION OF WAITE COURT CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA		
DATE: 10-10-05	REV. DATE: -----	DWG By: T. VO/JJS	CK'd By: J. STABLEIN	SCALE: 1" = 40'
FILE: I:\Promenade\LD\6509\SHT01.dwg		H&A LEGAL No. 6509		W.O. 1108-48
				SHEET 1 OF 1



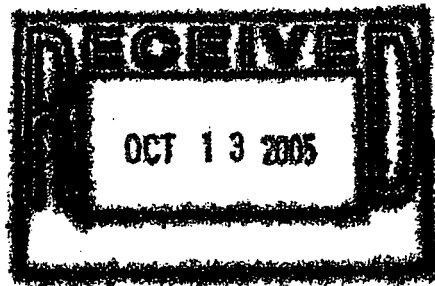
CITY OF LONG BEACH

DEPARTMENT OF PLANNING AND BUILDING

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

ADVANCE PLANNING

October 6, 2005



CHAIR AND PLANNING COMMISSIONERS
City of Long Beach
California

SUBJECT: Finding of Conformity with the *General Plan* for subterranean and aerial space vacation (Council District 2)

LOCATION: 200 East Broadway

APPLICANT: Gary Hildabrand
Lennar South Coast Homebuilding

RECOMMENDATION

Find the proposed subterranean space vacation along The Promenade North, as depicted in Exhibit A, and public rights-of-way aerial vacation, as depicted in Exhibit B, in conformance with the adopted goals and policies of the City's *General Plan*.

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 subterranean space vacation and aerial vacation are herein submitted for such review.

The applicant is requesting the vacation of a 22-foot wide subterranean space along The Promenade North for the extension of the proposed underground parking structure and for the aerial vacation of the public rights-of-way for planter, deck, and bay window projections.

A finding of conformity 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 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 project in question is located in Land Use District (LUD) 7, Mixed Use. This district carefully blends different land uses in an effort to vitalize the City's urban structure. The proposed subterranean and aerial vacations and related development are consistent with this land use designation. The proposed development will add quality dwelling units to the Promenade District's housing stock, increasing home ownership opportunities.

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. The proposed subterranean and aerial vacations will not degrade circulation in the downtown region, nor do they contradict any policies or objectives in the Transportation Element. The proposed development reflects the Transportation Element's intent to locate both mixed-use and high-density residential developments within walking distance of major transit stations or stops, such as the Metro Blue Line rail stations along nearby Long Beach Boulevard.

ENVIRONMENTAL REVIEW

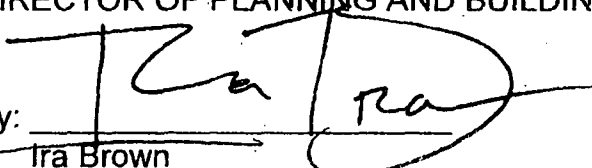
In accordance with the guidelines for implementing the California Environmental Quality Act (CEQA), Negative Declaration (ND 30-04) was certified on March 14, 2005 by the Redevelopment Agency.

IT IS RECOMMENDED THAT THE PLANNING COMMISSION

Find the proposed subterranean space vacation along The Promenade North, as depicted in Exhibit A, and public rights-of-way aerial vacation, as depicted in Exhibit B, in conformance with the adopted goals and policies of the City's *General Plan*.

Respectfully submitted,

Suzanne Frick
DIRECTOR OF PLANNING AND BUILDING

By: 
Ira Brown
Planner

Approved: 
Angela Reynolds
Advance Planning Officer

200 East Broadway.doc
SF:AR:IB

Attachment:

1. Exhibit A: Sketch depicting proposed subterranean space vacation
2. Exhibit B: Sketch depicting proposed aerial space vacation

CONDITIONS OF APPROVAL

SKETCH NO. 967V

The development proposal for 200 E. Broadway was created with the assistance of the Redevelopment Agency of the City of Long Beach, and development plans were reviewed by the Department of Planning and Building, the Department of Public Works, the Fire Department and other interested city departments and public agencies. The following conditions of approval were attached to this project during the right-of-way vacation review process.

1. The developer is required to dedicate and improve an additional 4 feet to widen the adjacent north-south alley, Waite Court, to the satisfaction of the Director of Public Works
2. The developer is required to improve the adjacent portions of The Promenade, Broadway, and Alta Way to the satisfaction of the Redevelopment Agency and the Director of Public Works.
3. All publicly-owned street light standards in the portion of The Promenade to be vacated must be returned to City Light and Power, and the power supply circuits to these street light standards must be modified as necessary to the satisfaction of the Director of Public Works.
4. Any required traffic control modifications are the responsibility of the vacation petitioner, and shall be installed in the public right-of-way under a street improvement permit from the Department of Public Works.
5. 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.

GM:SC

RESOLUTION NO.

A RESOLUTION OF INTENTION TO VACATE SUBTERRANEAN AND AERIAL PORTIONS OF THE PROMENADE, BROADWAY AND ALTA WAY ADJACENT TO 200 E. BROADWAY, 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, as amended, generally known and referred as the "Public Street, Highways and Service Easements Law", and hereby declares its intention to vacate subterranean and aerial portions of The Promenade, Broadway and Alta Way adjacent to 200 E. Broadway in the City of Long Beach, County of Los Angeles, State of California, described more particularly as follows:

Subterranean Portion of The Promenade

A strip of land in the City of Long Beach, County of Los Angeles, State of California, being the easterly 22.00 feet of The Promenade North, 80.00 feet wide, formerly Locust Avenue, as per map of "Townsite of Long Beach" recorded in Book 19, Pages 91 through 96, inclusive of Miscellaneous Records of said County, said strip bounded on the north by the westerly prolongation of the northerly line of Lot 2 of Block 103 of said map and bounded on the south by the westerly prolongation of the southerly line of Lot 16 of said Block 103, and bounded by an upper elevation of 28.58 feet at the northeasterly and southeasterly corner of said strip and bounded by an upper

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Long Beach, California 90802-4664
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1 elevation of 28.14 feet at the northwesterly and southwesterly corner of said
2 strip. Said strip has no lower limit.

3 Said elevations being based on City of Long Beach Benchmark No. 1386,
4 located at the northeast corner of The Promenade North and Broadway.
5 Lead and Tack in east end of catch basin, 75 feet east of the centerline of
6 Promenade North, Elevation 29.503 feet, Datum 1929 NGVD 1985 CLB
7 Adjustment.

8 **Aerial Portions of The Promenade, Broadway and Alta Way**

9 A strip of land in the City of Long Beach, County of Los Angeles, State of
10 California, being the easterly 4.00 feet of The Promenade North, 80.00 feet
11 wide, formerly Locust Avenue, as per map of "Townsite of Long Beach"
12 recorded in Book 19, Pages 91 through 96, inclusive of Miscellaneous
13 Records of said County, together with the southerly 3.00 feet of Broadway,
14 80.00 feet wide, per said map, and the northerly 3.00 feet of Alta Way, 10.00
15 feet wide, per said map, said strip bounded on the north by a line which is
16 parallel with and northerly 3.00 feet from the northerly line of Lot 2 of Block
17 103 of said map and its westerly prolongation, bounded on the south by a
18 line which is parallel with and southerly 3.00 feet from the southerly line of
19 Lot 16 of Block 103 of said map and it's westerly prolongation, bounded on
20 the east by a line which is parallel with and westerly 9.00 feet from the
21 easterly line of Lot 2 of Block 103 of said map and it's northerly and southerly
22 prolongations, and bounded on the west by a line which is parallel with and
23 westerly 4.00 feet from the westerly line of Lot 2 of Block 103 of said map
24 and it's northerly and southerly prolongations, and bounded by a lower
25 elevation of 42.83 feet and bounded by an upper elevation of 89.33 feet.

26 Said elevations being based on City of Long Beach Benchmark No. 1386,
27 located at the northeast corner of The Promenade North and Broadway.
28 Lead and Tack in east end of catch basin, 75 feet east of the centerline of
The Promenade North, Elevation 29.503 feet, Datum 1929 NGVD 1985 CLB
Adjustment.

29
30 Sec. 2. All of the foregoing real property is shown on the map or plan thereof,
31 attached hereto as Exhibit "A", and on file in the office of the City Clerk, which map or plan
32 is known and referred to as City of Long Beach Department of Public Works Vacation
33 Sketch No.967V entitled, "SKETCH SHOWING VACATION OF THE SUBTERRANEAN
34 PORTION OF THE PROMENADE AND AERIAL PORTIONS OF THE PROMENADE,
35 BROADWAY AND ALTA WAY TO BE VACATED BY THE CITY OF LONG BEACH."

36 Sec. 3. The City Council hereby fixes the _____ day of _____,
37 200___ at the hour of _____ .m., as the time and the City Council Chamber, Plaza
38 Level of the City Hall, 333 West Ocean Boulevard, in the City of Long Beach, California,

