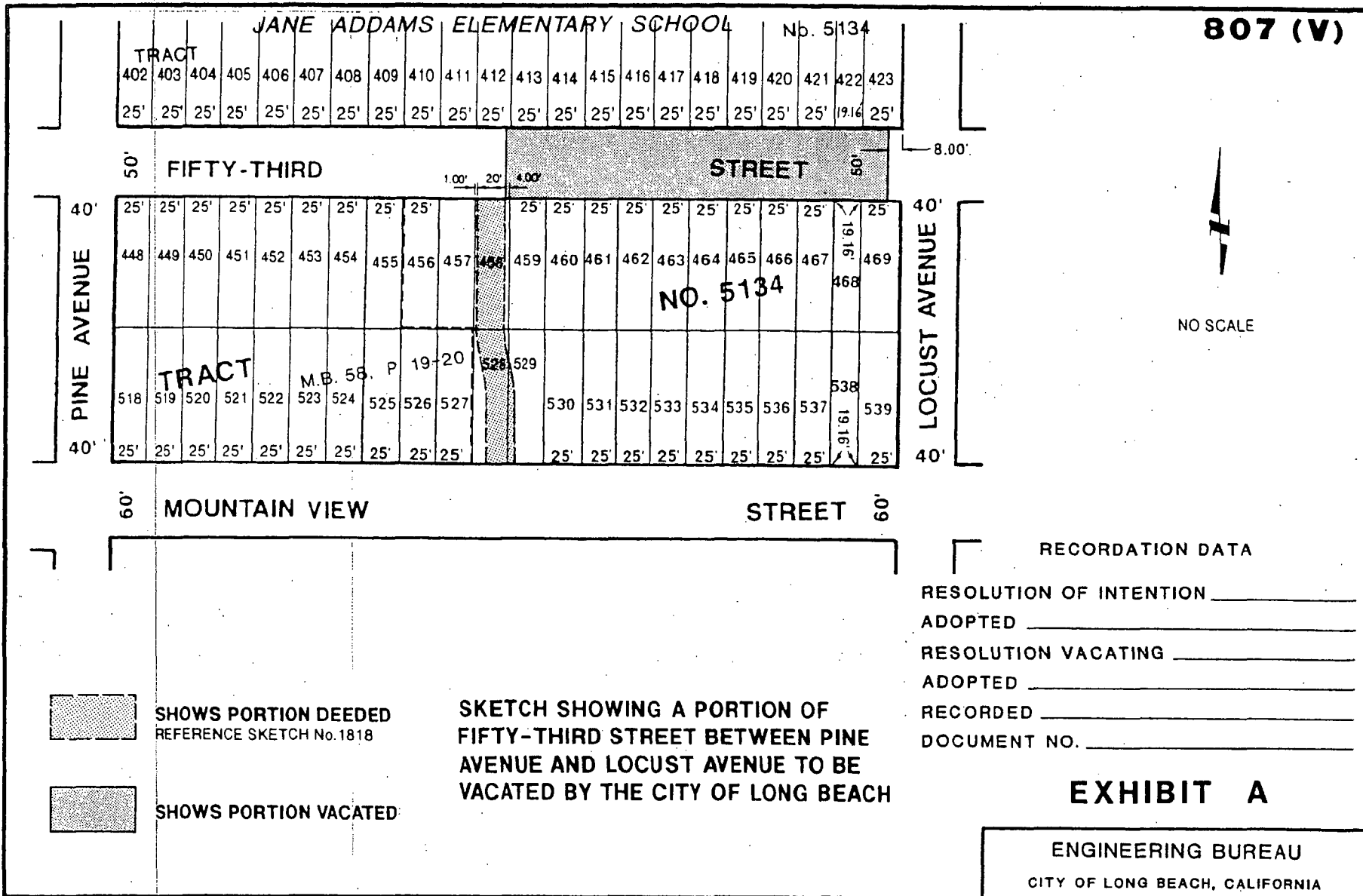


807 (V)

EXHIBIT A



SHOWS PORTION DEEDED  
REFERENCE SKETCH No. 1818



SHOWS PORTION VACATED

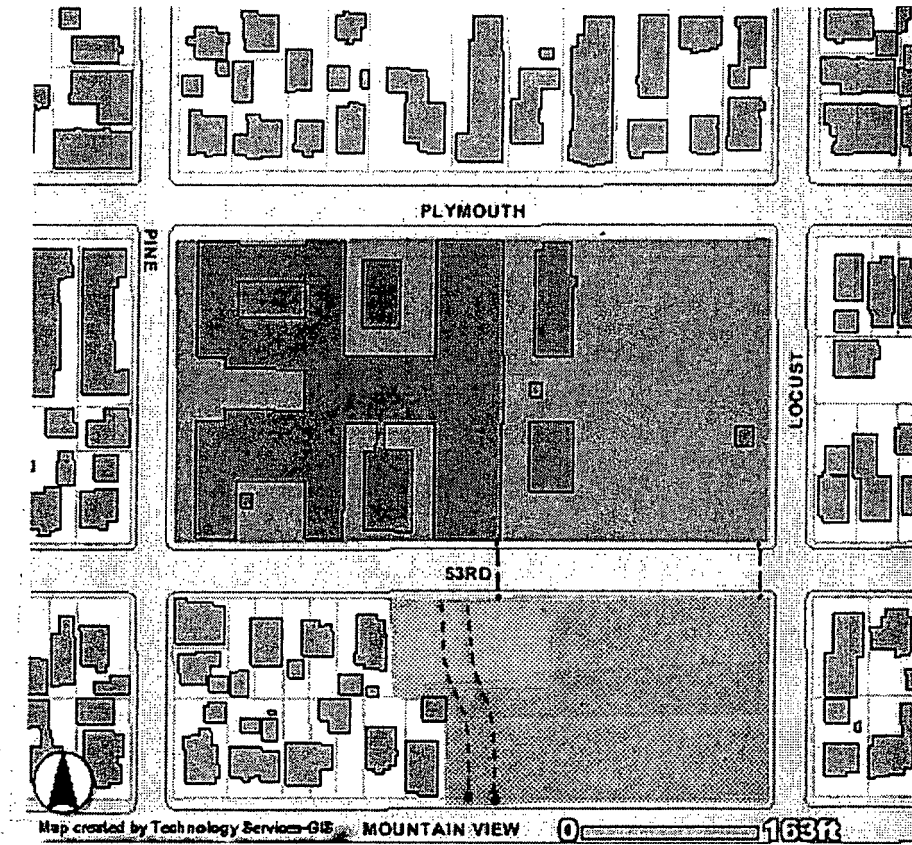
SKETCH SHOWING A PORTION OF  
FIFTY-THIRD STREET BETWEEN PINE  
AVENUE AND LOCUST AVENUE TO BE  
VACATED BY THE CITY OF LONG BEACH

RECORDATION DATA

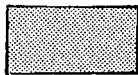
RESOLUTION OF INTENTION \_\_\_\_\_  
 ADOPTED \_\_\_\_\_  
 RESOLUTION VACATING \_\_\_\_\_  
 ADOPTED \_\_\_\_\_  
 RECORDED \_\_\_\_\_  
 DOCUMENT NO. \_\_\_\_\_

EXHIBIT A

ENGINEERING BUREAU  
CITY OF LONG BEACH, CALIFORNIA



**ADDAMS ELEMENTARY SCHOOL CAMPUS PROPERTY**



SHOWS PROPERTY OWNED BY  
THE LONG BEACH UNIFIED SCHOOL DISTRICT

**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

August 19, 2004

CHAIR AND PLANNING COMMISSIONERS  
City of Long Beach  
California

SUBJECT: Finding of Conformity with the *General Plan* for a Street Vacation  
Relating to Addams Elementary School (Council District 8)

LOCATION: 5320 Pine Avenue

APPLICANT: Jon Nowak  
Long Beach Unified School District

## RECOMMENDATION

Find the proposed street vacation, as depicted in Exhibit A, in conformance with the *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 street vacation is herein submitted for such review.

A portion of Fifty-third Street, as depicted in Exhibit A, has been closed to through traffic since 1996 and is used as a playground for the Addams Elementary School. The Long Beach Unified School District is requesting formal vacation of this street to allow for a contiguous school site and facilitate further upgrades to this facility. This Item was continued from the August 5, 2004 Planning Commission hearing to allow for time for community outreach.

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 elements: Land Use, Open Space, Transportation, Noise, Scenic Routes, Conservation,

**EXHIBIT C****Page 1 of 3**

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 street in question is located in Land Use District (LUD) 10, Institutions/Schools. This district serves basic public needs over a long period of time, enduring through changes in the surrounding socio-economic environment. The proposed vacation will not result in a change of use that would conflict with this land use district.

#### **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 Department of Public Works has reviewed the street vacation and has determined that the right-of-way is not needed for circulation. The street is not referenced in the Transportation Element and the proposed vacation does not contradict any policies or objectives in the *General Plan*.

### **ENVIRONMENTAL REVIEW**

In accordance with the guidelines for implementing the California Environmental Quality Act (CEQA), categorical exemption 337-04 was issued.

### **IT IS RECOMMENDED THAT THE PLANNING COMMISSION**

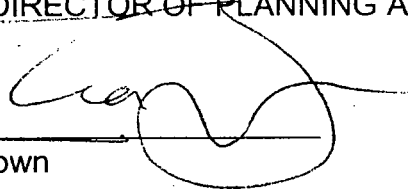
Find the proposed street vacation, as depicted in Exhibit A, in conformance with the *General Plan*.

Respectfully submitted,

FADY MATTAR  
ACTING DIRECTOR OF PLANNING AND BUILDING

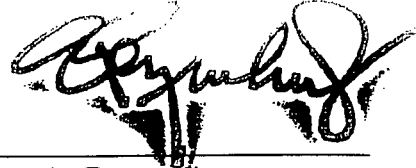
By: \_\_\_\_\_

Ira Brown  
Planner



Approved: \_\_\_\_\_

Angela Reynolds  
Advance Planning Officer



Addams school.doc  
FM:AR:IB

Attachment:

1. Exhibit A: Sketches depicting public right-of-way vacation and dedication
2. Exhibit B: categorical exemption 337-04

## CONDITIONS OF APPROVAL

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### SKETCH NO. 807V

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 water, sewer, gas, and storm drain pipelines as well as electric power lines, telephone lines and street lighting conduits. No structures may be constructed within the vacated area.
2. An easement shall be reserved for the emergency access of the Police and Fire Prevention Department.
3. An easement shall be dedicated for public alley purposes over the connecting alley built between Fifty-Third and Mountain View Streets.
4. 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/ D77

**EXHIBIT D**

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

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RESOLUTION NO. C-

A RESOLUTION ORDERING THE VACATION OF A PORTION OF FIFTY-THIRD STREET BETWEEN PINE AVENUE AND LOCUST AVENUE, IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA PURSUANT TO CHAPTER 4, PART 3 OF DIVISION 9 OF THE CALIFORNIA STREET AND HIGHWAYS CODE

WHEREAS, the City Council of the City of Long Beach adopts this resolution pursuant to Chapter 4 of the Public Streets, Highways and Service Easements Vacation Law (Streets and Highways Code Sections 8330 et seq.); and

WHEREAS, this resolution vacates a portion of Fifty-Third Street between Pine Avenue and Locust Avenue described more particularly as follows:

That portion of Fifty-Third Street, formerly known as Spaulding Street, in the City of Long Beach, County of Los Angeles, State of California, 50 feet wide as shown on the map of Tract No. 5134, recorded in Book 58, Pages 19 and 20 of Maps, in the Office of the County Recorder of said County, bounded on the West by a line 4.00 feet west of, measured at right angles and parallel to, the northerly prolongation of the easterly line of Lot 458 of said Tract No. 5134; and bounded on the east by a line 8.00 feet west of, measured at right angles and parallel to, the northerly prolongation of the easterly line of Lot 459 of said Tract No. 5134.

Reserving unto the City of Long Beach, its successors and assigns, over the entire area vacated herein, a perpetual easement and right-of-way for emergency access, and a perpetual easement and right-of-way, at 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, sanitary sewers, storm drains and appurtenant structures, together with all necessary gates, valves, fittings, hydrants and appurtenances for the transportation of water and 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 street lights, telephone lines and other communication lines, and for

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1 the transportation or distribution of electric energy, and incidental  
2 purposes including access and the right to keep the property free from  
3 inflammable materials, and wood growth, and otherwise protect the  
4 same from all hazards in, upon and over the part vacated. Access for  
5 maintenance of the above-mentioned facilities must be maintained at  
6 all times. No improvements shall be constructed within the easement  
7 which would impede the operation, maintenance or repair of said  
8 facilities. Construction of any improvements, including changes of  
9 grade, shall be subject to the prior written approval of all the City  
10 departments and public utilities responsible for the above said facilities.

11 WHEREAS, the above-described property is excess right-of-way and is not  
12 required for street or highway purposes; and

13 WHEREAS, the vacation of this right-of-way will not cut off all access to  
14 any adjoining property; and

15 WHEREAS, this street has been impassable for five consecutive years with  
16 no public money expended for maintenance during such period; and

17 WHEREAS, this property is a public service easement which has not been  
18 used for the purpose for which it was dedicated or acquired for five consecutive years  
19 immediately preceding this vacation.

20 NOW, THEREFORE, the City Council of the City of Long Beach resolves  
21 as follows:

22 Section 1. Pursuant to Chapter 4, Part 3 of Division 9 of the California  
23 Streets and Highways Code (Sections 8330 et seq.), the following findings are made  
24 regarding the above-described property:

25 A. That the document entitled "SKETCH SHOWING A PORTION OF  
26 FIFTY-THIRD STREET BETWEEN PINE AVENUE AND LOCUST AVENUE TO BE  
27 VACATED BY THE CITY OF LONG BEACH," attached hereto as Exhibit "A," accurately  
28 depicts the property to be vacated.

B. That the findings of fact made by the City Council for the purposes of  
this summary vacation of excess right-of-way pursuant to California Streets and  
Highways Code Section 8333(a), set forth in the document entitled "City Council  
Findings" and attached hereto as Exhibit "B," are incorporated herein and made a part of



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Long Beach, California 90802-4664  
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1 this resolution by this reference.

2           Sec. 2. The above-described portion of the right-of-way is hereby vacated  
3 and closed. From and after the date this resolution is recorded, such vacated right-of-  
4 way shall no longer constitute a street or highway.

5           Sec. 3 The City Clerk is hereby instructed to certify to the adoption of this  
6 resolution, and to cause a certified copy to be recorded in the Office of the County  
7 Recorder of the County of Los Angeles, California.

8           Sec. 4. This resolution shall take effect immediately upon its adoption by  
9 the City Council.

10           I hereby certify that the foregoing resolution was adopted by the City  
11 Council of the City of Long Beach at its meeting of \_\_\_\_\_, 2005, by the  
12 following votes:

13  
14           Ayes:   Councilmembers: \_\_\_\_\_

15 \_\_\_\_\_

16 \_\_\_\_\_

17 \_\_\_\_\_

18           Noes:   Councilmembers: \_\_\_\_\_

19 \_\_\_\_\_

20           Absent: Councilmembers: \_\_\_\_\_

21 \_\_\_\_\_

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City Clerk

25  
26  
27 LPM:ET  
04-05618  
28 12/16/04

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**EXHIBIT A**

**807 (V)**

JANE ADDAMS ELEMENTARY SCHOOL Nb. 5134

TRACT	402	403	404	405	406	407	408	409	410	411	412	413	414	415	416	417	418	419	420	421	422	423
	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	19.16'	25'

50' FIFTY-THIRD STREET 50'

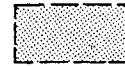
448	449	450	451	452	453	454	455	456	457	458	459	460	461	462	463	464	465	466	467	468	469	
																					19.16'	

NO. 5134

TRACT M.B. 58. P 19-20 528 529

518	519	520	521	522	523	524	525	526	527	528	529	530	531	532	533	534	535	536	537	538	539	
																					19.16'	

60' MOUNTAIN VIEW STREET 60'



SHOWS PORTION DEEDED  
REFERENCE SKETCH No. 1818



SHOWS PORTION VACATED

SKETCH SHOWING A PORTION OF  
FIFTY-THIRD STREET BETWEEN PINE  
AVENUE AND LOCUST AVENUE TO BE  
VACATED BY THE CITY OF LONG BEACH

8.00'



NO SCALE

RECORDATION DATA

RESOLUTION OF INTENTION \_\_\_\_\_  
 ADOPTED \_\_\_\_\_  
 RESOLUTION VACATING \_\_\_\_\_  
 ADOPTED \_\_\_\_\_  
 RECORDED \_\_\_\_\_  
 DOCUMENT NO. \_\_\_\_\_

**EXHIBIT A**

ENGINEERING BUREAU  
CITY OF LONG BEACH, CALIFORNIA

## **CITY COUNCIL FINDINGS**

### **VACATION OF A PORTION OF FIFTY-THIRD STREET WEST OF LOCUST AVENUE Reference Sketch No. 807V**

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

This finding is based upon the following subfindings:

- a) The subject portion of Fifty-Third Street was gated and has been impassable to public street use since 1995.
- b) This street easement has not been used for the purpose for which it was dedicated or acquired for over five consecutive years immediately preceding the proposed dedication.
- c) In 1995, the District built a new 20-foot wide alley connection between Fifty-Third and Mountain View Streets.
- d) On April 10, 2003, the District executed an easement deed in favor of the public for the new connecting alley.
- e) On August 19, 2004, the City of Long Beach Planning Commission made a finding of General Plan conformity for the proposed vacation, as required in Section 8313 of the Public Streets, Highways and Service Easements Vacation Law.
- f) 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.
- b) In conformance with the California Environmental Quality Act, Categorical Exemption No. CE-337-04 was issued for this action.

SC