

C-16

October 8, 2019

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt a Resolution closing vehicular traffic to a portion of the public right-of-way known as Rhea Street, between Long Beach Boulevard and the first unnamed north-south public alley east of Long Beach Boulevard. (District 2)

DISCUSSION

In 2016, the City of Long Beach (City) established the Midtown Specific Plan (Plan) to provide land use regulations and design standards for a specific corridor along Long Beach Boulevard. The Plan identifies roadway segments within the Planned Development District proposed to be closed to vehicular traffic for the construction of small street parks (pocket parks) in connection with new development. These pocket parks will provide much needed open spaces for neighborhoods along Long Beach Boulevard.

In 2017, the City approved a proposed mixed-use development to develop a 0.88-acre site at 1900-1940 Long Beach Boulevard. The applicant, LINC Housing Corporation, a California nonprofit corporation, agreed to development conditions that include the closure to vehicular traffic of the segment of Rhea Street, between Long Beach Boulevard and the first unnamed north-south public alley east of Long Beach Boulevard, as well as the construction and maintenance of a pocket park (Attachment A). The closed portion of Rhea Street will be converted into a pocket park to enhance the pedestrian experience in the area.

The proposed closure will serve a variety of functions, such as providing access to abutting properties and side entrances, safe play space for children, a meeting place for neighbors, and enhanced pedestrian and bicycle circulation in the neighborhood. The area will remain public and open to pedestrian and bicycle traffic.

California Vehicle Code Section 21101, provides that local authorities may adopt rules and regulations closing any street or alley in its jurisdiction to vehicular traffic when, in the opinion of the legislative body having jurisdiction, the street or alley is no longer needed for vehicular traffic. The City adopted such rules and regulations in 1997 with Resolution No. C-25791, providing that public park and/or recreational use is a valid justification for street closure to vehicular use.

Findings must establish that the subject portion of right-of-way is unnecessary for vehicular use. The Public Works Department supports this action based on the following evidence, facts, conditions, and findings establishing that the street to be closed is not needed for vehicular traffic:

1. Rhea Street, between Long Beach Boulevard and the first unnamed north-south public alley east of Long Beach Boulevard, is to be closed to vehicular traffic but will remain open for pedestrian and bicycle use;
2. The proposed pocket park project will not be dedicated or designated as a public park or recreation area for purposes of City Charter Section 905 entitled Parks in Perpetuity. Therefore, the recommended action would not subject the proposed park to the 2:1 replacement ratio under Section 905. If it is determined, due to future land development or for any other reason, that the subject street would better serve the public as a vehicular thoroughfare, vehicular use can be restored, and the closed area would not need to be replaced by other park or recreation areas; and,
3. The improvements to the proposed pocket park will be overseen by the Public Works Department and maintained by LINC Housing Corporation. Notwithstanding, the non-dedication and non-designation of the subject area as a public park within the meaning of Section 905, the proposed pocket park will continue to be controlled and operated by the City.

In conformance with the California Environmental Quality Act, a Final Environmental Impact Report and Mitigation Monitoring and Reporting Program were issued in March 2016 for the Plan.

This matter was reviewed by Deputy City Attorney Amy R. Webber on August 1, 2019 and by Budget Analysis Officer Julissa José-Murray on September 17, 2019.

TIMING CONSIDERATIONS

City Council action is requested on October 8, 2019, to allow the project to proceed in a timely manner.

FISCAL IMPACT

A tentative vacation processing fee in the amount of \$5,376 was 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

October 8, 2019

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SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



CRAIG A. BECK
DIRECTOR OF PUBLIC WORKS

APPROVED:



THOMAS B. MODICA
ACTING CITY MANAGER

CB:EL:JH:BP:jc

ATTACHMENTS: RESOLUTION
A - CLOSURE SKETCH
B - SITE PLAN

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

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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH CLOSING TO VEHICULAR TRAFFIC A PORTION OF RHEA STREET, BETWEEN LONG BEACH BOULEVARD AND THE FIRST UNNAMED NORTH-SOUTH PUBLIC ALLEY EAST OF LONG BEACH BOULEVARD IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

WHEREAS, California Vehicle Code Section 21101 authorizes local authorities to adopt rules and regulations by ordinance or resolution providing for the closing of any street or alley in its jurisdiction to vehicular traffic when, in the opinion of the legislative body having jurisdiction, the street or alley is no longer needed for vehicular traffic; and

WHEREAS, the City of Long Beach adopted such rules and regulations on November 1, 1994 with Resolution No. C-25728, as amended on March 7, 1995 by Resolution No. C-25791, providing that public park and/or recreational purposes are a valid justification for closure to vehicular use; and

WHEREAS, the City of Long Beach (the "City") has established in the Midtown Specific Plan land use regulations and design standards for a specific corridor along Long Beach Boulevard and has identified the need for additional open space and children's playgrounds; and

WHEREAS, to provide safe play spaces for children, meeting places for residents, and enhanced safety of bicyclists and pedestrians, the City desires to close to vehicular traffic a portion of the public street known as Rhea Street between Long Beach Boulevard and the first unnamed north-south public alley east of Long Beach Boulevard and to construct small pocket parks in connection with the LINC housing development

1 (the "Project") in this area, as described on Exhibit "A" attached to this resolution and
2 incorporated herein by this reference; and

3 WHEREAS, the specific area proposed for closure is more specifically
4 shown on the diagram attached hereto as Exhibit "B";

5 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
6 follows:

7 Section 1. Based on the staff report and the record at the time of
8 adoption of this Resolution, the City Council hereby finds and determines that as to those
9 portions of highways as described and shown in Exhibits "A" and "B";

10 A. The areas proposed for closure are no longer needed for
11 vehicular traffic; and

12 B. The areas proposed for closure do not provide and are not
13 used for vehicular access to any privately owned parcels; and

14 C. It is anticipated that the areas proposed for closure will be
15 incorporated into a plan for public park or public or private recreational use.

16 Section 2. That certain portion of Rhea Street between Long Beach
17 Boulevard and the first unnamed north-south public alley east of Long Beach Boulevard
18 as described and shown in Exhibits "A" and "B" is hereby closed to vehicular traffic.

19 Section 3. The City Manager shall cause such barriers or other
20 appropriate traffic control devices, signs and obstructions to be erected or installed which
21 will effectuate closing the described portion of highway to vehicular traffic.

22 Section 4. 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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I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of _____, 2019, by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk

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

LEGAL DESCRIPTION EXHIBIT "A"
STREET CLOSURE

BEING A PARCEL OF LAND FOR STREET CLOSURE PURPOSES OVER A PORTION OF RHEA STREET AS SHOWN ON THAT CERTAIN MAP OF THE ALLEN-RHEA ADDITION TO LONG BEACH RECORDED IN BOOK 2 PAGE 46 OF MAPS ON FILE AT THE COUNTY OF LOS ANGELES RECORDER'S OFFICE, AND A PORTION OF RHEA STREET AS SHOWN ON THAT CERTAIN MAP OF THE COOLEY TRACT RECORDED IN BOOK 6 PAGE 46 OF MAPS ON FILE AT THE COUNTY OF LOS ANGELES RECORDER'S OFFICE LOCATED IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, SAID STREET CLOSURE IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF RHEA STREET BEING 60 FEET IN WIDTH AND BEING MARKED WITH A 1/2 INCH REBAR AND PLASTIC CAP STAMPED "LS 8054" AS SHOWN ON CORNER RECORD PWFB 0323, 1300-1301 FILED ON JULY 18, 2017 AT THE LOS ANGELES COUNTY SURVEYOR'S OFFICE SAID POINT BEING THE MOST NORTHEASTERLY CORNER OF LOT 1, BLOCK 1 OF SAID ALLEN-RHEA ADDITION TO LONG BEACH;

THENCE ALONG THE NORTH LINE OF SAID LOT 1, S 89° 59' 54" W FOR 7.03' TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID NORTH LINE S 89°59'54" W FOR 143.00 FEET TO A 1/2 INCH REBAR AND PLASTIC CAP STAMPED "LS 8054" AS SHOWN ON SAID CORNER RECORD MARKING THE NORTHWESTERLY CORNER OF SAID LOT 1 AND ALSO BEING A POINT ON THE EASTERLY RIGHT OF WAY LINE OF LONG BEACH BLVD AS SHOWN ON SAID ALLEN-RHEA ADDITION TO LONG BEACH.

THENCE NORTHERLY ALONG THE EASTERLY RIGHT OF WAY LINE OF LONG BEACH BLVD AS SHOWN ON SAID ALLEN-RHEA ADDITION TO LONG BEACH NORTH FOR 60.00 FEET TO THE NORTHERLY LINE OF RHEA STREET AS SHOWN ON SAID COOLEY TRACT SAID POINT ALSO BEING THE SOUTHWESTERLY CORNER OF LOT 1 OF SAID COOLEY TRACT;

THENCE LEAVING SAID EASTERLY LINE OF LONG BEACH BLVD AND ALONG SAID NORTHERLY RIGHT OF WAY LINE OF RHEA STREET N 89°59'54" E FOR 127.00 FEET;

THENCE LEAVING SAID RIGHT OF WAY LINE S 14°55'53" E FOR 62.10 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING: 8,100 SQUARE FEET MORE OR LESS

AS SHOWN ON SURVEY PLAT EXHIBIT "B" AND MADE A PART HEREIN.

SUBJECT TO ALL COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS, RIGHTS-OF-WAY AND EASEMENTS OF RECORD, IF ANY.

LEGAL DESCRIPTION EXHIBIT "A"
STREET CLOSURE

BASIS OF BEARING

THE BASIS OF BEARING FOR THIS LEGAL DESCRIPTION IS THAT CERTAIN CORNER RECORD ENTITLED "PWFB 0323, 1300-1301" FILED ON JULY 18, 2017 AT THE LOS ANGELES COUNTY SURVEYOR'S OFFICE, BEING THE NORTHERLY LINE OF LOT 1, BLOCK 1 PER MAP OF THE ALLEN-RHEA ADDITION TO LONG BEACH RECORDED IN BOOK 2 PAGE 46 OF MAPS ON FILE AT THE COUNTY OF LOS ANGELES RECORDER'S OFFICE AND IS TAKEN TO BE: S 89° 59' 54" W.

END OF DESCRIPTION

Robert Shellman

12/20/18

ROBERT SHELLMAN, PLS 8054
TERRAMARK SURVEYING INC.

DATE





LONG BEACH BLVD

LOT 2
BOOK 8 PAGE 46
COOLEY TRACT
LOT 1

13' WIDE ALLEY
VACATED PER
DOC. NO.
80-1257587
(VACATED) LOT 4

RHEA STREET (60' R/W)

LOT 1

LOT 2
BOOK 2 PAGE 46

LOT 3
MAP OF THE
ALLEN-RHEA

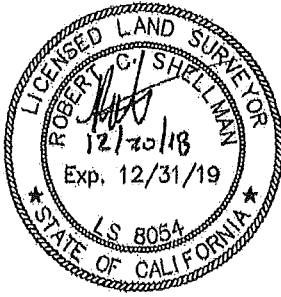
ADDITION
LONG BEACH
LOT 4

BLOCK 1
LOT 5

LOT 6

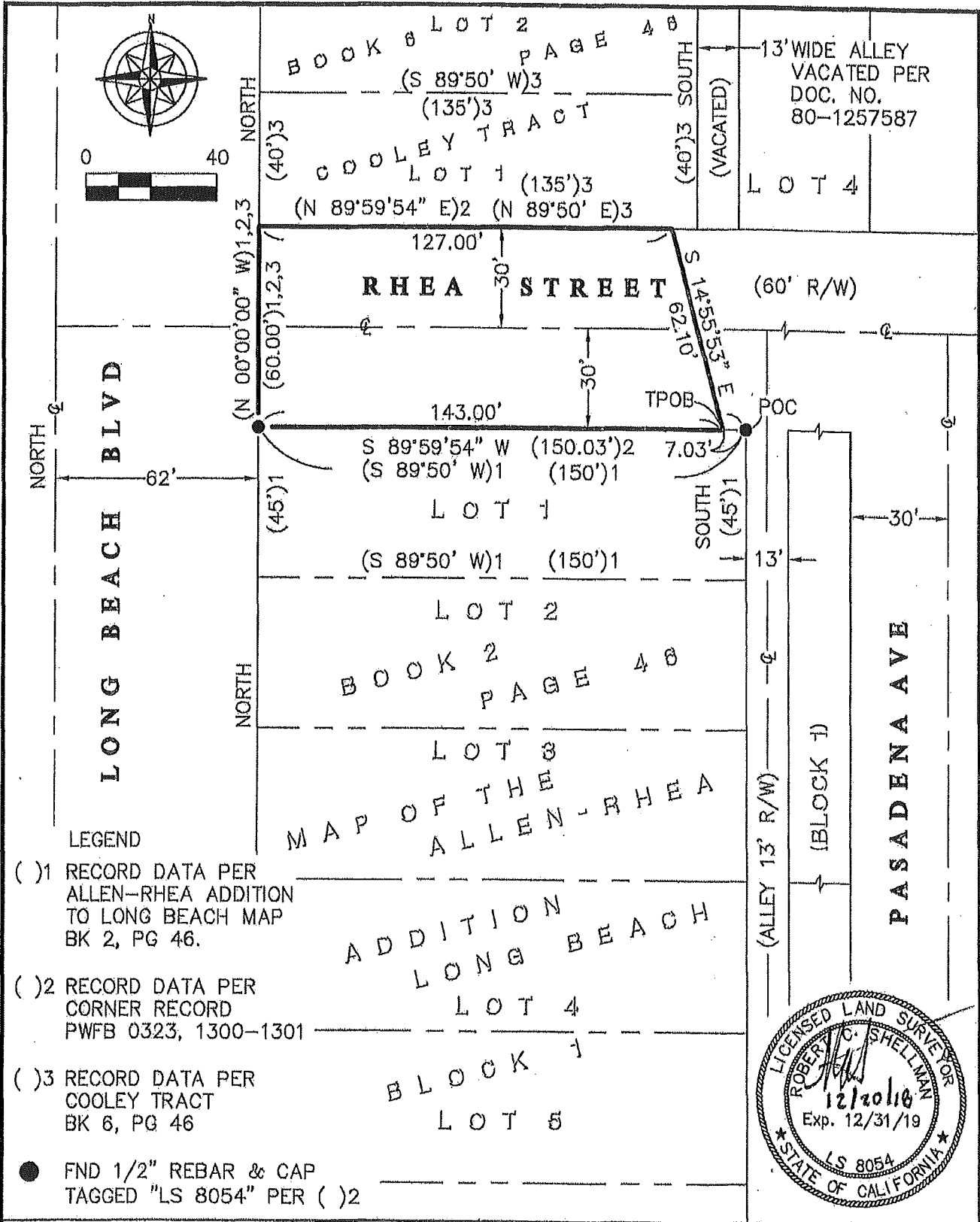
19 TH STREET

PASADENA AVE
(ALLEY 13' R/W) (BLOCK 1)



4275 37TH ST, SUITE 232
SAN DIEGO, CA 92105
PH: 619.280.0056
terraemark.surveys@gmail.com
DATE: 11/09/18 PROJ. NO. 18-024 DRWG: RCS

EXHIBIT B
RHEA STREET CLOSURE
MAP OF THE ALLEN-RHEA ADDITION
BOOK 2, PAGE 46



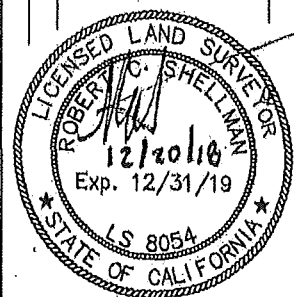
TERRAMARK SURVEYING

4275 37TH ST, SUITE 232
 SAN DIEGO, CA 92105
 PH: 619.280.0056
 terramark.surveys@gmail.com

DATE: 11/09/18 PROJ. NO. 18-024 DRW/G: RCS

EXHIBIT B
 RHEA STREET CLOSURE
 MAP OF THE ALLEN-RHEA ADDITION
 BOOK 2, PAGE 46

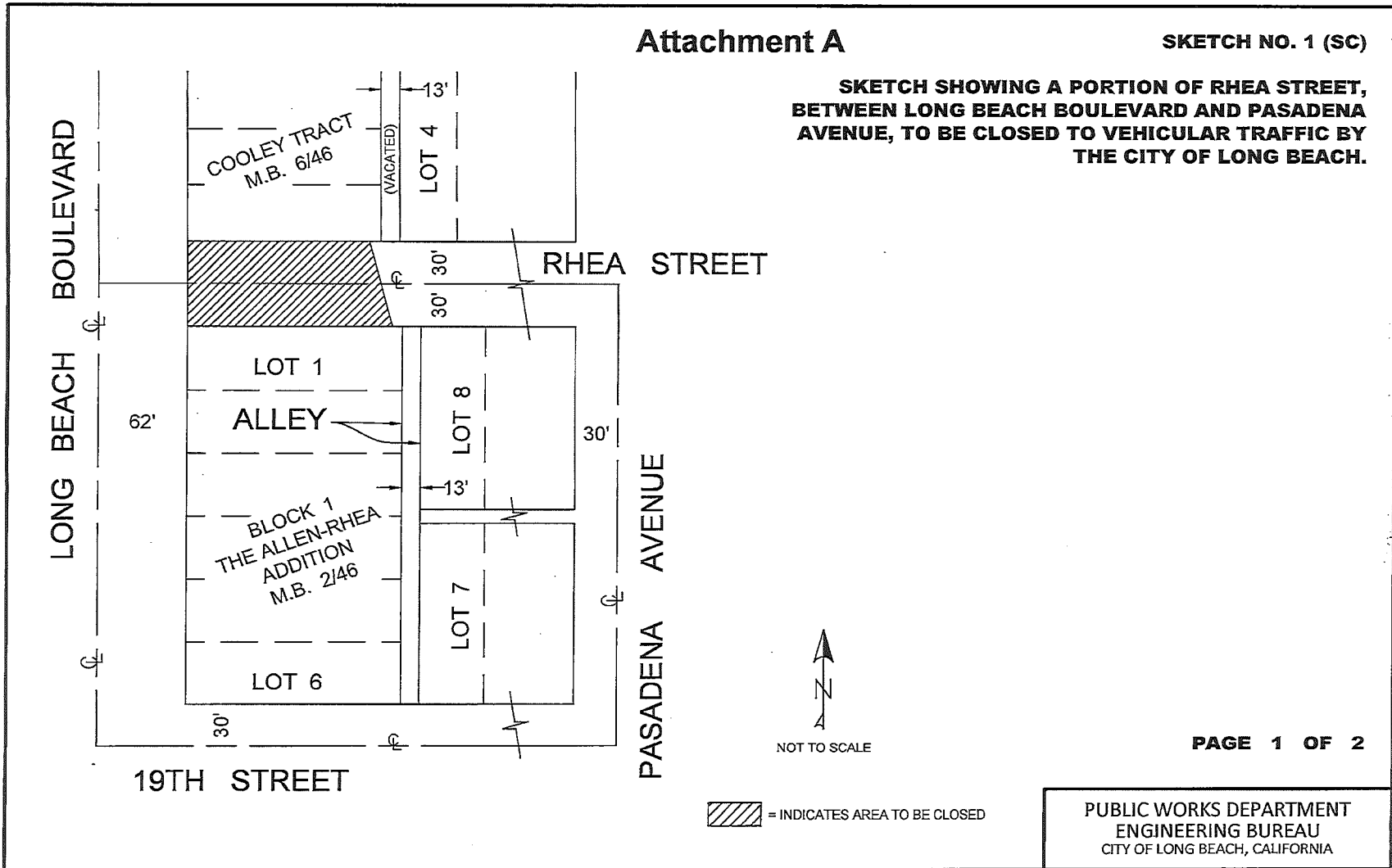
Page 2 of 2



Attachment A

SKETCH NO. 1 (SC)

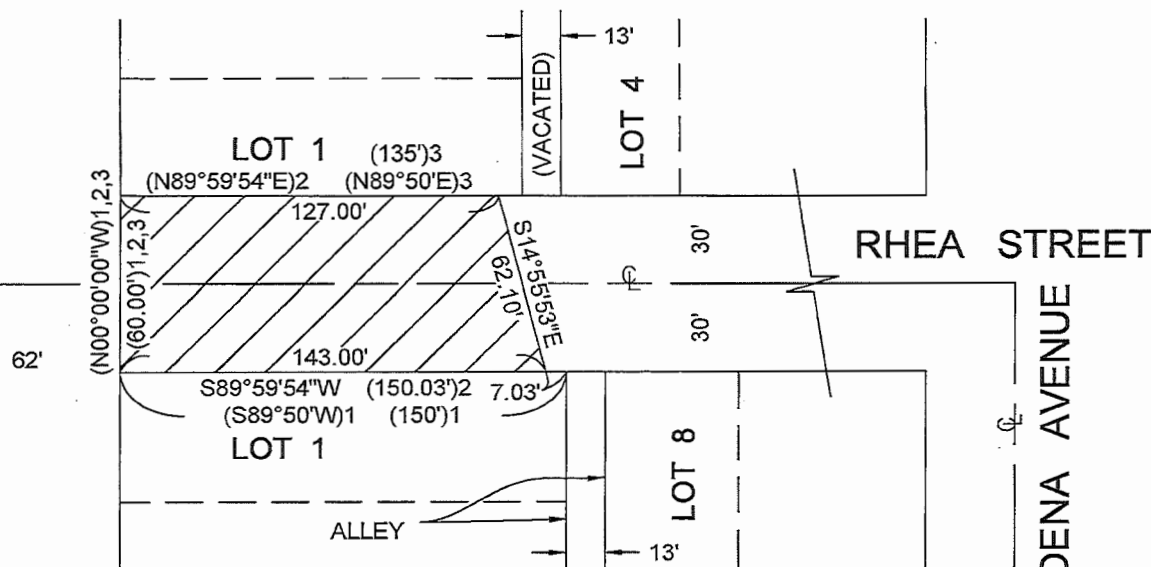
SKETCH SHOWING A PORTION OF RHEA STREET,
BETWEEN LONG BEACH BOULEVARD AND PASADENA
AVENUE, TO BE CLOSED TO VEHICULAR TRAFFIC BY
THE CITY OF LONG BEACH.



Attachment A

SKETCH NO. 1 (SC)

LONG BEACH BOULEVARD



LEGEND:

- ()1 RECORD DATA PER ALLEN-RHEA ADDITION TO LONG BEACH MAP BLOCK 2, PAGE 46.
- ()2 RECORD DATA PER CORNER RECORD PWFB 0323, 1300-1301.
- ()3 RECORD DATA PER COOLEY TRACT BLOCK 6, PAGE 46.

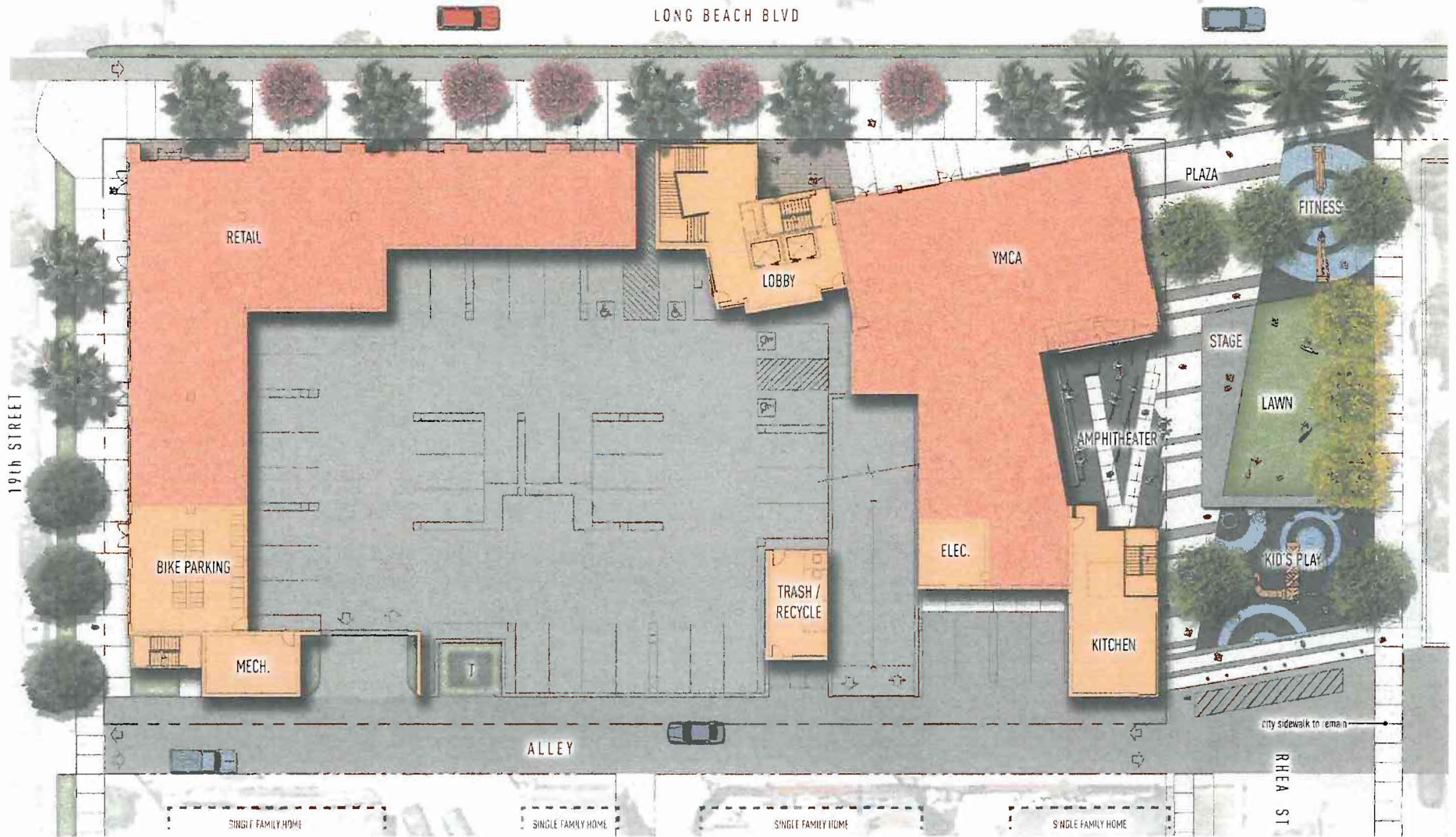
= INDICATES AREA TO BE CLOSED



NOT TO SCALE

PUBLIC WORKS DEPARTMENT
ENGINEERING BUREAU
CITY OF LONG BEACH, CALIFORNIA

Attachment B



CONCEPTUAL LANDSCAPE PLAN - GROUND LEVEL