



CITY OF LONG BEACH

H-2

DEPARTMENT OF PUBLIC WORKS

333 West Ocean Boulevard • Long Beach, CA 90802 • (562) 570-6383 • FAX (562) 570-6012

April 17, 2007

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 the attached resolution ordering the vacation of portions of Pine Avenue and First Street at the southeast corner of that intersection. (District 2)

DISCUSSION

Long Beach Transit is preparing to develop a 1,900-square foot Transit & Visitor Information Center at the southeast corner of Pine Avenue and First Street. The project site addressed as 130 East First Street is provided to Long Beach Transit by the Redevelopment Agency, under a Disposition and Development Agreement. A portion of the building is to be constructed over adjacent surplus sidewalk area. It is necessary to vacate that sidewalk area in order to proceed with this project. The sidewalk area to be vacated is shown on the attached Exhibit A.

On March 20, 2007, the City Council adopted Resolution No. RES-07-0038, declaring its intention to vacate the subject right-of-way, and set April 17, 2007, as the date for the public hearing. A copy of the March 20, 2007, City Council letter is attached as Exhibit B. The proposed resolution was prepared by Deputy City Attorney Lori A. Conway on February 23, 2007.

TIMING CONSIDERATIONS

The date of this public hearing was set by City Council action.

FISCAL IMPACT

A vacation processing fee of \$2,000 was deposited to the General Fund (GP) in the Department of Public Works (PW).

ADMINISTRATION,
PLANNING & FACILITIES
333 W. Ocean Blvd., 9th Floor
Long Beach, CA 90802
Ph. (562) 570-6383
Fax (562) 570-6012

AIRPORT
4100 Donald Douglas Dr.
Long Beach, CA 90808
Ph. (562) 570-2600
Fax (562) 570-2601

ENGINEERING & STREET
MAINTENANCE
333 W. Ocean Blvd., 9th Floor
Long Beach, CA. 90802
Ph. (562) 570-6634
Fax (562) 570-6012

ENVIRONMENTAL
SERVICES
2929 E. Willow Street
Long Beach, CA 90806
Ph. (562) 570-2850
Fax (562) 570-2861

FLEET SERVICES
2600 Temple Avenue
Long Beach, CA 90806
Ph. (562) 570-5400
Fax (562) 570-5414

TRAFFIC &
TRANSPORTATION
333 W. Ocean Blvd., 10th Floor
Long Beach, CA 90802
Ph. (562) 570-6331
Fax (562) 570-7161

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



CHRISTINE F. ANDERSEN
DIRECTOR OF PUBLIC WORKS

GMM:SC:km
P\CL\ ROW vac Pine and First LBT final resolution CL.doc

Attachments

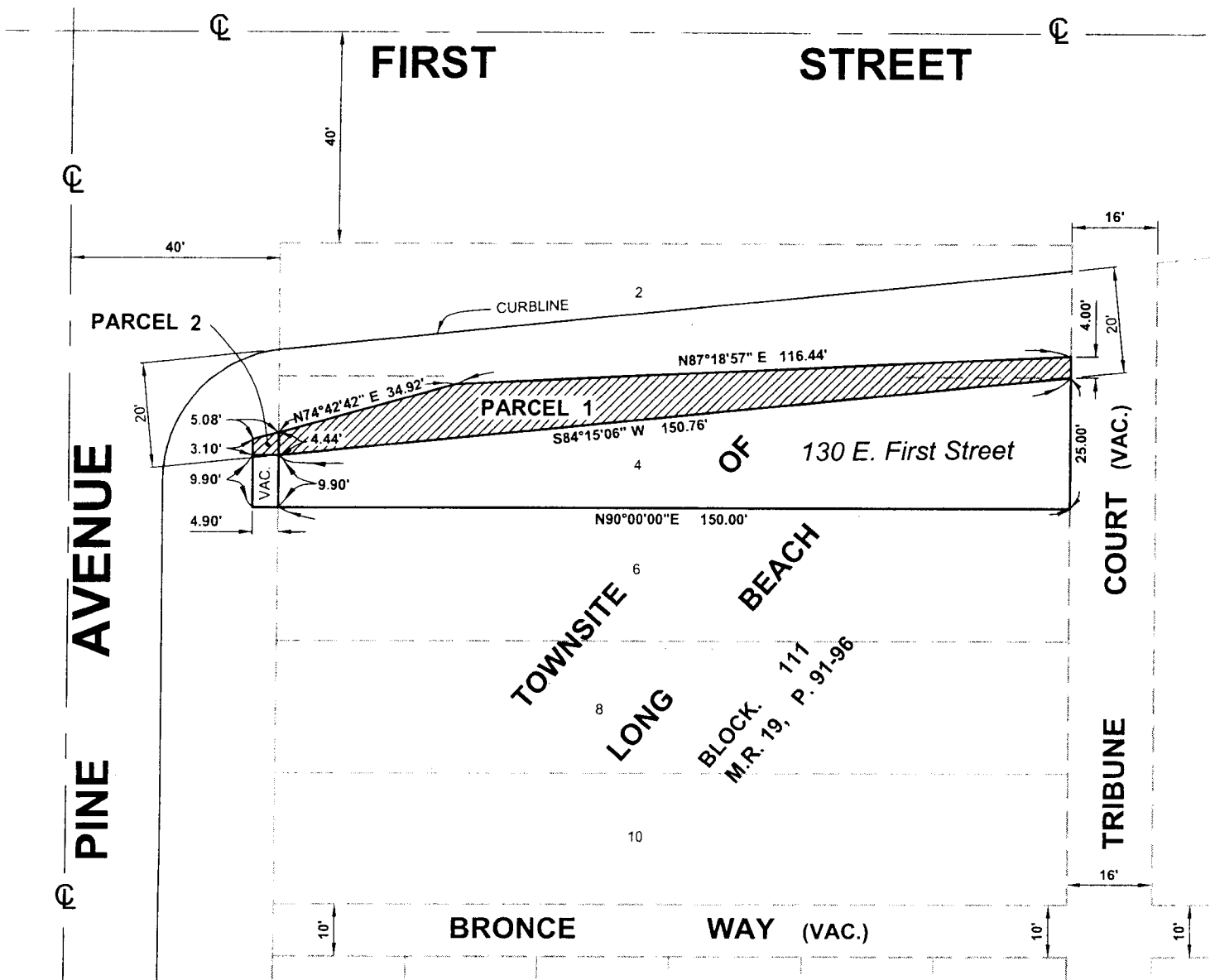
APPROVED:

for 
GERALD R. MILLER
CITY MANAGER

**SKETCH SHOWING PORTIONS OF PINE AVENUE AND FIRST STREET
SIDEWALKS TO BE VACATED BY THE CITY OF LONG BEACH.**

Notes:

- 1) Parcel 1 as shown on this sketch is an undedicated part of Lot 2 and 4, Block 111, Townsite of Long Beach, but is improved as public sidewalk.
- 2) A portion of the Pine Avenue sidewalk (marked "VAC.") was vacated in 1994 (reference Sketch No. 851V).



 **SHOWS PORTION TO BE VACATED**



SCALE: 1" = 30'

EXHIBIT A



CITY OF LONG BEACH

DEPARTMENT OF PUBLIC WORKS

333 West Ocean Boulevard • Long Beach, CA 90802 • (562) 570-6383 • FAX (562) 570-6012

March 20, 2007

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt a resolution of intention to vacate portions of Pine Avenue and First Street at the southeast corner of that intersection and set a date for a public hearing on the vacation for April 17, 2007. (District 2)

DISCUSSION

Long Beach Transit is preparing to develop a 1,900-square foot Transit & Visitor Information Center at the southeast corner of Pine Avenue and First Street. The project site addressed as 130 E. First Street is provided to Long Beach Transit by the Redevelopment Agency, under a Disposition and Development Agreement. A portion of the building is to be built over adjacent surplus sidewalk area. It is necessary to vacate that sidewalk area in order to proceed with this project. The sidewalk area to be vacated is shown on the attached Exhibit A.

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 right-of-way is unnecessary for present or prospective public use. The Department of Public Works supports this action based on the following evidence, facts, conditions and findings, establishing that the public sidewalk area to be vacated is unnecessary for present or prospective public use.

1. The proposed site development plan is attached as Exhibit B. The sidewalk remaining after a portion is vacated will be fully ADA compliant and adequate for pedestrian traffic needs.
2. On May 10, 2005, the City Council authorized the City Manager to enter into a Disposition and Development Agreement with Long Beach Transit for the conveyance of Redevelopment Agency-owned land needed for the development of this project.

ADMINISTRATION,
PLANNING & FACILITIES
333 W. Ocean Blvd., 9th Floor
Long Beach, CA 90802
Ph. (562) 570-6383
Fax (562) 570-6012

AIRPORT
4100 Donald Douglas Dr.
Long Beach, CA 90808
Ph. (562) 570-2600
Fax (562) 570-2601

EXHIBIT B
Page 1 of 2

ENVIRONMENTAL
SERVICES
2929 E. Willow Street
Long Beach, CA 90806
Ph. (562) 570-2850
Fax (562) 570-2861

FLEET SERVICES
2600 Temple Avenue
Long Beach, CA 90806
Ph. (562) 570-5400
Fax (562) 570-5414

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HONORABLE MAYOR AND CITY COUNCIL

March 20, 2007

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3. On September 18, 2006, the Planning Commission approved plans for the Transit & Visitor's Center. On October 5, 2006, the 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. In conformance with the California Environmental Quality Act, Negative Declaration Number ND 156-06 was certified for this project. The Planning Department staff report is included as Exhibit C.
4. 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. Conditions of approval for this project are attached as Exhibit D.

The public hearing on this matter to be held on April 17, 2007, will allow all persons interested in or objecting to the proposed vacation to appear and be heard. The proposed resolution of intention to vacate was prepared by Deputy City Attorney Lori A. Conway on February 23, 2007.

TIMING CONSIDERATIONS

City Council action is requested on March 20, 2007, to allow the construction of this facility to proceed on schedule.

FISCAL IMPACT

A vacation processing fee of \$2,000 was deposited to the General Fund (GP) in the Department of Public Works (PW).

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



CHRISTINE F. ANDERSEN
DIRECTOR OF PUBLIC WORKS

GMM:SC/ CRW LB Transit Cntr vac ResInt CL

Attachments

APPROVED:



GERALD R. MILLER
CITY MANAGER

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

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RESOLUTION NO.

A RESOLUTION ORDERING THE VACATION OF PORTIONS OF PINE AVENUE AND FIRST STREET AT THE SOUTHEAST CORNER OF THAT INTERSECTION, 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 the _____ day of, _____, 200__, by Resolution No. _____, declare its intention to order the vacation, pursuant to the provisions of the Public Streets, Highways, and Service Easements Law, portions of Pine Avenue and First Street at the southeast corner of that intersection in the City of Long Beach, County of Los Angeles, State of California, described more particularly as follows:

Parcel 1: Being a portion of lots 2 and 4 in block 111 of the Townsite of Long Beach, in the City of Long Beach, County of Los Angeles, State of California, as per map recorded in book 19, pages 91 through 96, inclusive of miscellaneous records, in the office of the county recorder of said county, described as follows:

Commencing at the southwest corner of said lot 4; thence north 0°00'00" east 9.90 feet along the west line of said lot to the true point of beginning; thence continuing along said west line, north 0°00'00" east 4.44 feet; thence leaving said west line north 74°42'42" east 34.92 feet; thence north 87°18'57" east 116.44 feet to a point on the east line of said lot 2; said point being distant north 0°00'00" east 4.00 feet from the northeast corner of said lot 4; thence along said east line, south 0°00'00" west 4.00 feet to the northeast corner of said lot 4; thence leaving said east line and along the northwesterly line of that certain parcel of land conveyed to Redevelopment Agency of the City of Long Beach per document recorded March 13, 1996 as instrument No. 96-404575, of official records of said county; thence along said northwesterly line, south 84°15'06" west 150.76 feet to west line of said lot 2 and the true point of beginning.

Parcel 2: A portion of Pine Avenue, 80 feet in width, as shown on the map of the Townsite of Long Beach, in the City of Long Beach, County of Los Angeles, State of California, as per map

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

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recorded in book 19, pages 91 through 96, inclusive of miscellaneous records, in the office of the county recorder of said county, described as follows:

Commencing at the southwest corner of lot 4 in block 111 of said Townsite of Long Beach; thence north 00'00" east 9.90 feet along the west line of said lot to the true point of beginning; thence continuing along said west line, north 0°00'00" east 4.44 feet; thence leaving said west line south 74°42'42" west 5.08 feet to a line that is parallel and distant 4.90 feet west from the west line of said lot 4; thence along said parallel line, south 0°00'00" west 3.10 feet to a line that is parallel and distant 9.90 feet north from the south line of said lot 4; thence along said parallel line north 90°00'00" east 4.90 feet to the true point of beginning.

WHEREAS, the City Council did, at said time, fix Tuesday, the ___ day of _____, 200__, at the hour of _____ .m., as the time and the City Council Chamber, Plaza Level of the City Hall, 333 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; 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 set forth in said Exhibit "B", attached hereto and by this reference made a part hereof;

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

Section 1. Pursuant to the foregoing resolution of intention, the proceedings had thereunder, the Sketch 851V showing portions of Pine Avenue and First Street at the southeast corner of that intersection to be vacated by the City of Long Beach attached hereto as Exhibit "A", and the City Council Findings attached hereto as Exhibit "B", said City Council of the City of Long Beach hereby makes its resolution vacating and closing a portion of the sidewalk hereinabove described.

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

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Sec. 2. 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 _____, 200__, by the following votes:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

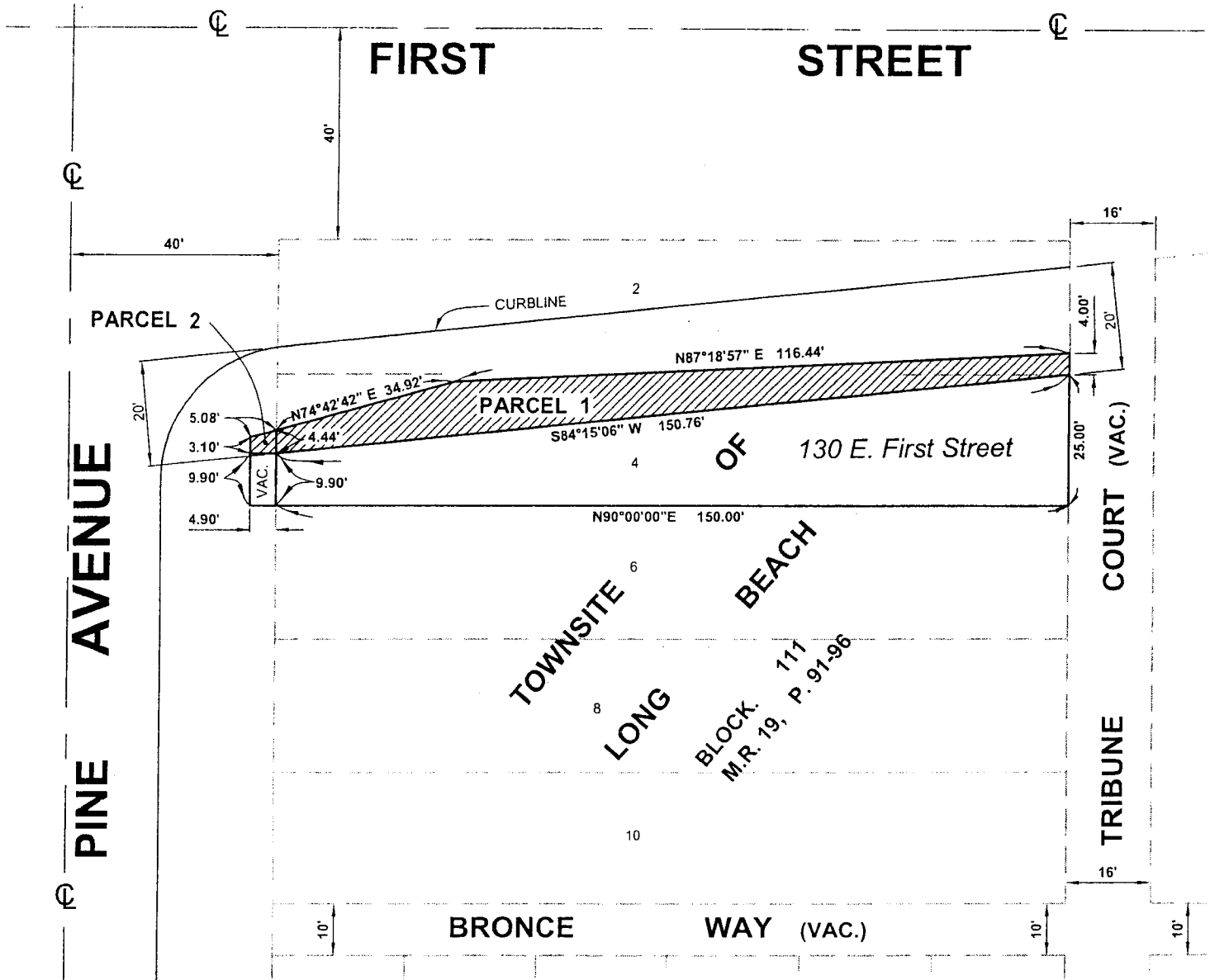
City Clerk

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**SKETCH SHOWING PORTIONS OF PINE AVENUE AND FIRST STREET
SIDEWALKS TO BE VACATED BY THE CITY OF LONG BEACH.**

Notes:

- 1) Parcel 1 as shown on this sketch is an undedicated part of Lot 2 and 4, Block 111, Townsite of Long Beach, but is improved as public sidewalk.
- 2) A portion of the Pine Avenue sidewalk (marked "VAC.") was vacated in 1994 (reference Sketch No. 851V).



 SHOWS PORTION TO BE VACATED



SCALE: 1" = 30'

EXHIBIT A

CITY COUNCIL FINDINGS

VACATION OF PORTIONS OF PINE AVENUE AND FIRST STREET AT THE SOUTHEAST CORNER OF THAT INTERSECTION

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

This finding is based upon the following subfindings:

- a) Those findings stated in the City Manager's letter submitted for the March 20, 2007 City Council meeting regarding the resolution of intention to vacate the subject right-of-way, adopted as RES-07-0038.
 - b) 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.
- c) In conformance with the California Environmental Quality Act, Negative Declaration Number ND 156-06 was issued for this project.