



CITY OF LONG BEACH

DEPARTMENT OF PUBLIC WORKS

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

April 20, 2004

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

SUBJECT: Public Hearing for the Vacation of the East-West Alley East of Atlantic Avenue and North of Third Street (District 1)

DISCUSSION

This alley bisects a parking lot owned entirely by the Covenant Presbyterian Church at 607 East Third Street. Representatives of the Church request that the City vacate this alley on the grounds that it serves no public purpose. However, an adjacent property owner has requested that the finalization of this matter be postponed to allow time for a discussion with the Church regarding the use of Church property for their refuse pickup. We therefore recommend that the public hearing be continued to June 1, 2004. The area to be vacated is shown on the attached Exhibit A.

On March 16, 2004, the City Council adopted Resolution No. C - 28335, declaring its intention to vacate the subject right-of-way, and set April 20, 2004 as the date for the public hearing. A copy of the March 16, 2004, City Council letter is attached as Exhibit B. Deputy City Attorney Lisa Peskay Malmsten reviewed this matter on April 13, 2004.

TIMING CONSIDERATIONS

City Council action on this matter is not time critical.


FISCAL IMPACT

A vacation-processing fee of \$1,500 was deposited to the General Fund (GP) in the Department of Public Works (PW).

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Continue the public hearing to June 1, 2004.

Respectfully submitted,


CHRISTINE F. ANDERSEN
DIRECTOR OF PUBLIC WORKS

GGM:SC/ p (Vac Atlantic 3rd PH CL cont)
Attachments

APPROVED:


GERALD R. MILLER
CITY MANAGER

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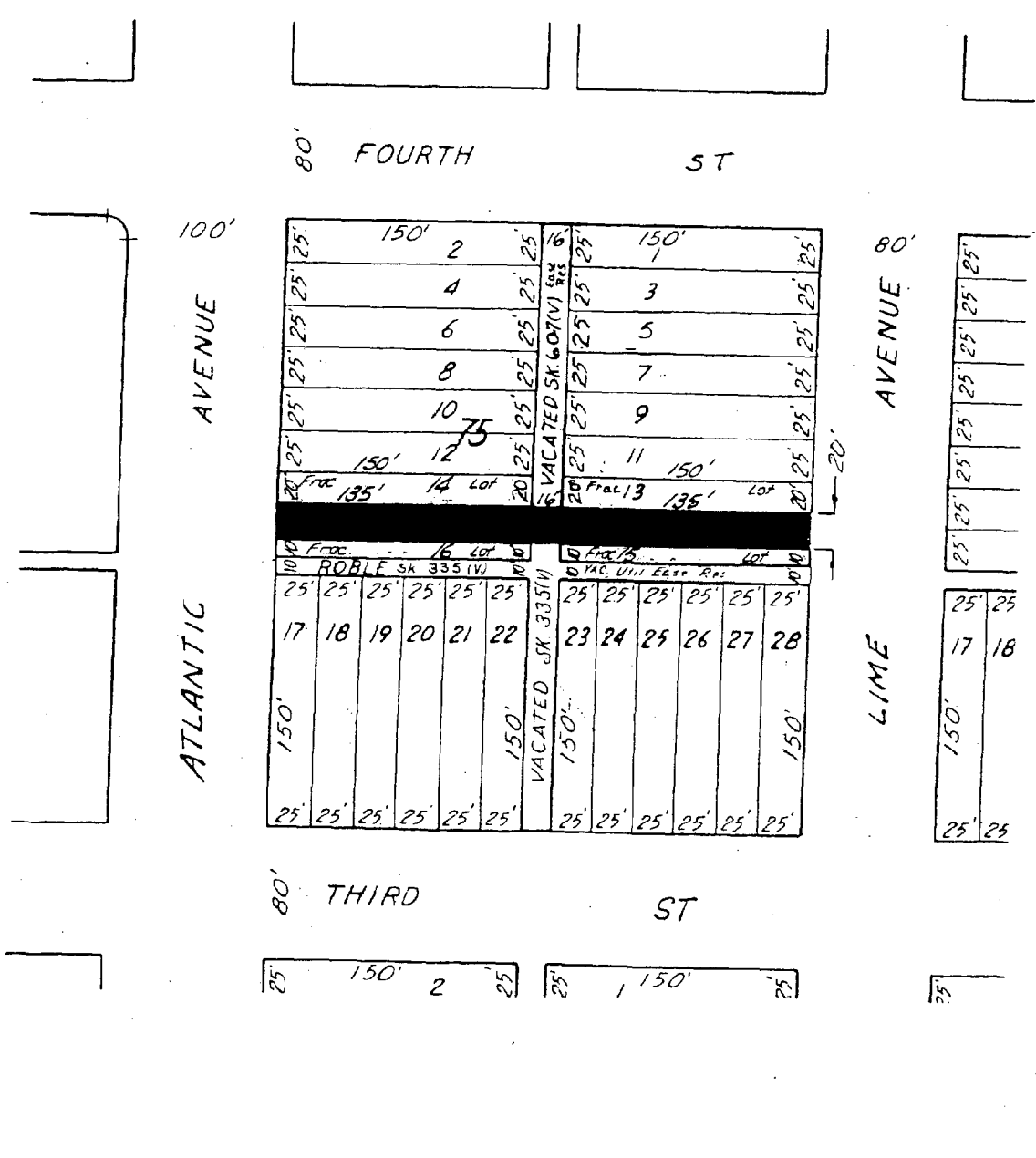
EXHIBIT A

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948V

SKETCH SHOWING AN EAST-WEST ALLEY EAST OF ATLANTIC AVENUE AND NORTH OF THIRD STREET TO BE VACATED BY THE CITY OF LONG BEACH

█ SHOWS PORTION TO BE VACATED





CITY OF LONG BEACH

DEPARTMENT OF PUBLIC WORKS

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

March 16, 2004

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

SUBJECT: Resolution of Intention to Vacate the East-West Alley East of Atlantic Avenue
and North of Third Street (District 1)

DISCUSSION

All of the property adjacent to this alley is owned by the Covenant Presbyterian Church. Representatives of the church request that the City vacate this alley in order to allow them to maintain it as a part of their adjacent parking lot. An easement would be reserved for any public utilities in place. The 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 dedicated right-of-way to be vacated is unnecessary for present or prospective public use.

1. Exhibit B is attached showing the parcels owned by the Covenant Presbyterian Church.
2. On December 18, 2003, the City of Long Beach 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, Categorical Exemption Number 701-03 was issued for this project. The Planning Department staff report is included as Exhibit C.
3. The interested City Departments, including Fire and Police, have reviewed the proposed right-of-way vacation, and have no objections to this action. Conditions of approval satisfying the concerns of the public utility companies are shown on Exhibit D.

The proposed resolution of intention to vacate was prepared by Deputy City Attorney Lisa Peskay Malmsten on February 19, 2004. The City of Long Beach does not guarantee reversionary rights over the vacated right-of-way.

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EXHIBIT A
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HONORABLE MAYOR AND CITY COUNCIL
March 16, 2004
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TIMING CONSIDERATIONS

City Council action on this matter is not time critical.

FISCAL IMPACT

A vacation processing fee of \$1,500 was deposited to the General Fund (GP 100) in the Department of Public Works (PW).

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Adopt the attached resolution of intention to vacate as shown on Exhibit A, and set a public hearing for the subject vacation on April 20, 2004, in the City Council chambers, to allow all persons interested in, or objecting to, the proposed vacation to appear and be heard.

Respectfully submitted,

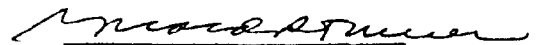


CHRISTINE F. ANDERSEN
DIRECTOR OF PUBLIC WORKS

Attachments

GMM:SC/ C
p:Vac Atlantic 3rd CL.doc

APPROVED:



GERALD R. MILLER
CITY MANAGER