



CITY OF LONG BEACH

DEPARTMENT OF PUBLIC WORKS

C-19

333 WEST OCEAN BOULEVARD • LONG BEACH, CA 90802 • (562) 570-6383 • FAX (562) 570-6012

September 22, 2009

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt a resolution ordering the vacation of a portion of Lakewood Boulevard north of the Traffic Circle adjacent to 1919 Lakewood Boulevard. (District 4)

DISCUSSION

In 2008, the owner of the Circle Audi automobile dealership at 1919 Lakewood Boulevard requested permission from the City of Long Beach to reroute a frontage road portion of Lakewood Boulevard abutting their facility as part of their remodeling project. This service road rerouting entailed a right-of-way vacation as shown in the attached Exhibit A. Pursuant to this action, on January 13, 2009, City Council adopted Resolution No. RES-09-0001, declaring its intention to vacate the subject right-of-way (Exhibit B). On February 10, 2009, a public hearing on the proposed vacation was satisfactorily concluded (Exhibit C), and a permit was issued for the roadway modifications shortly thereafter. The roadway modifications were completed in July 2009, and it is appropriate at this time to conclude the street vacation.

This matter was reviewed by Deputy City Attorney Linda Trang on July 15, 2009, and by Budget and Performance Management Bureau Manager David Wodynski on August 24, 2009.

TIMING CONSIDERATIONS

This matter is not time sensitive.

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PUBLIC SERVICE
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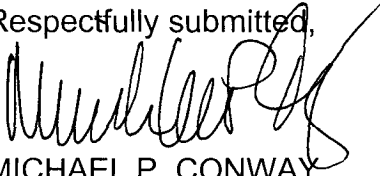
FISCAL IMPACT

A vacation processing fee of \$6,874 was deposited in the General Fund (GP) in the Department of Public Works (PW).

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



MICHAEL P. CONWAY
DIRECTOR OF PUBLIC WORKS

MPC:MAC:GMM:SC
P\CL\ROW Circle Audi vacation res ordering.doc

Attachments

Exhibit A –Location sketches
Exhibit B –Council Letter 1/13/09
Exhibit C –Council Letter 2/10/09

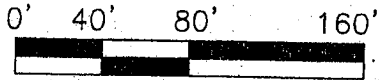
APPROVED:



PATRICK H. WEST
CITY MANAGER

SCALE: 1"=80'

SHEET 1 OF 1



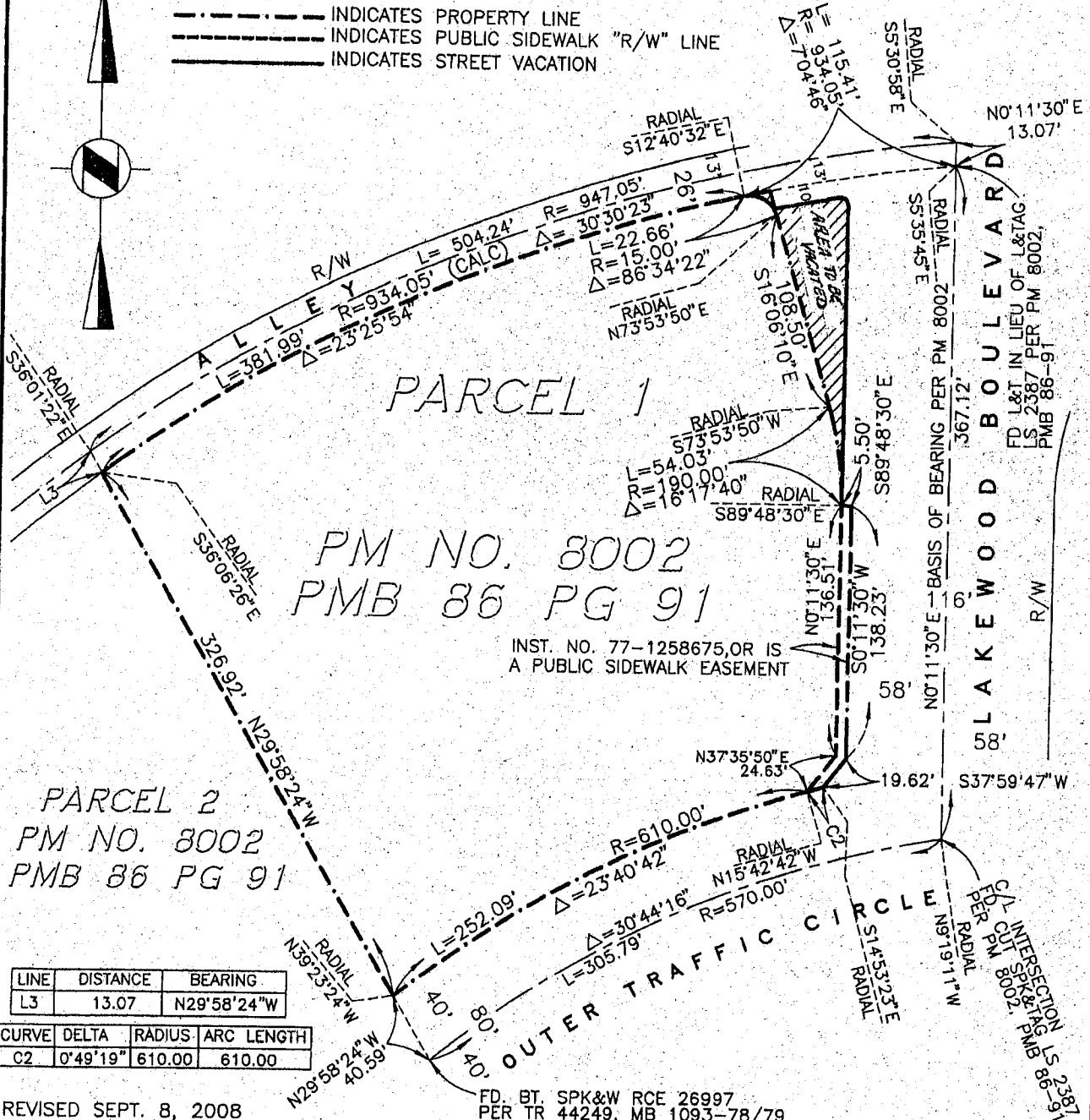
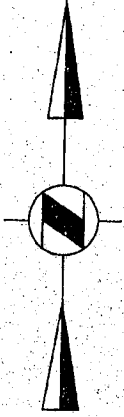
SKETCH NO. 988V

**SKETCH SHOWING A PORTION OF LAKEWOOD
BOULEVARD NORTH OF THE TRAFFIC CIRCLE TO
BE VACATED BY THE CITY OF LONG BEACH.**

VICINITY

LINETYPE LEGEND:

- INDICATES PROPERTY LINE
- - - - - INDICATES PUBLIC SIDEWALK "R/W" LINE
- INDICATES STREET VACATION



LINE	DISTANCE	BEARING
L3	13.07	N29°58'24"W

CURVE	DELTA	RADIUS	ARC LENGTH
C2	0°49'19"	610.00	610.00

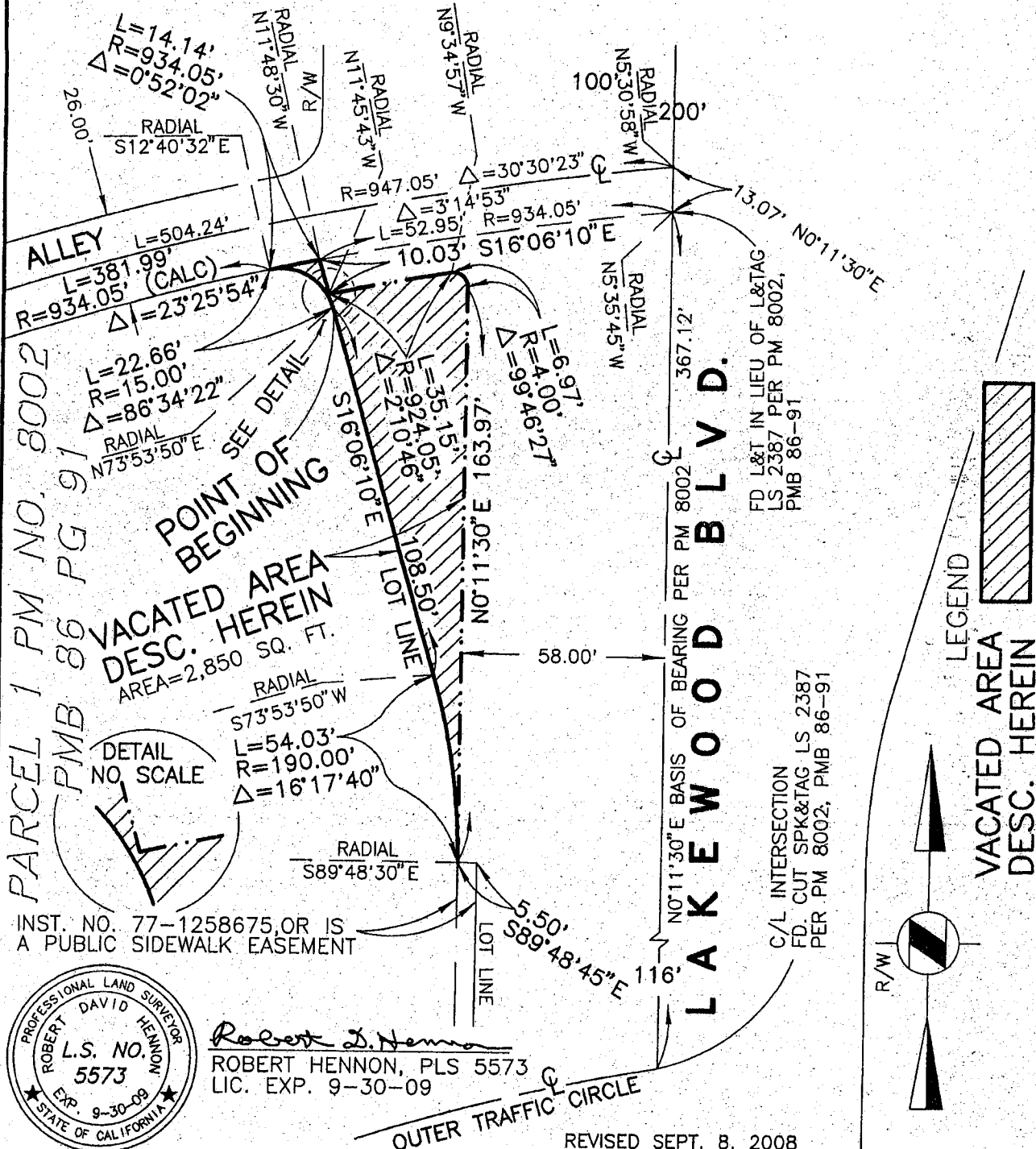
REVISED SEPT. 8, 2008

DATE: AUG 6, '08
THOM. GDE: 796-A4
FILE: 2603EX3.DWG
PROJECT NO: 2603

SCALE: 1"=40'
SHEET 1 OF 1
0' 20' 40'



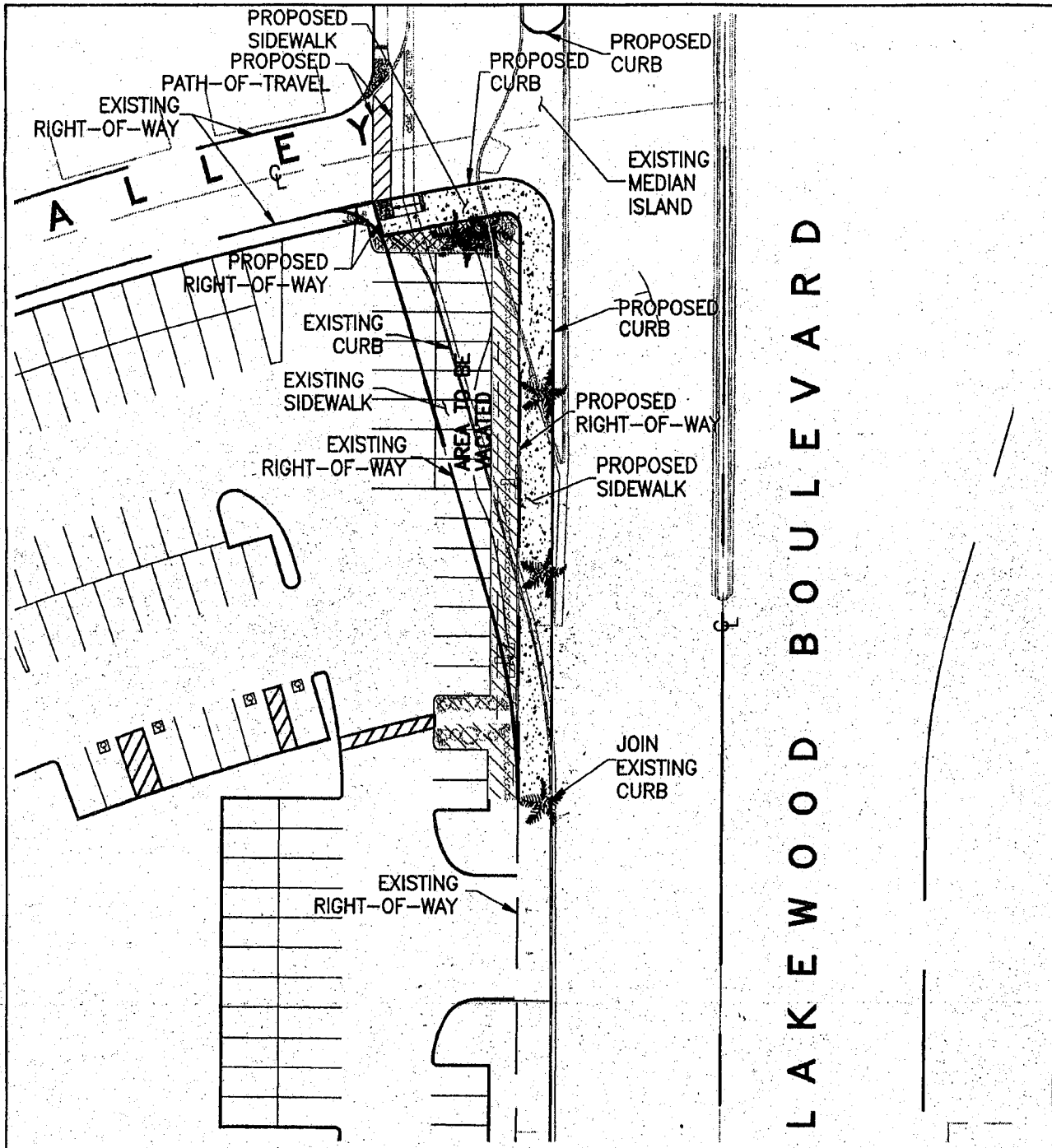
SKETCH NO. 988V



REVISED SEPT. 8, 2008

DATE:	AUG. 6, 2008
THOM. GDE:	796-A4
FILE:	2603EX2.DWG
PROJECT NO:	2603

EXHIBIT A
Page 2 of 3



SHEET REFERENCE NUMBER:

SHEET 1 OF 1

CIRCLE AUDI
STREET MODIFICATIONS

Designed by: TW		Date: 07-29-08	REV: 08-26-08
Dwn by: MA	Ckd by: TW	Design File no.	
Reviewed by:		File name:	
Submitted by:		Plot Date:	
		Dwg scales:	

k p f f
Consulting Engineers
15800 Von Karman
10th Floor
Irvine, Ca 92612
(949) 262-1022
Fax (949) 262-9082



CITY OF LONG BEACH

DEPARTMENT OF PUBLIC WORKS

~~C-6~~

333 WEST OCEAN BOULEVARD • LONG BEACH, CA 90802 • (562) 570-6383 • FAX (562) 570-6012

January 13, 2009

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt a resolution of intention to vacate a portion of Lakewood Boulevard north of the Traffic Circle adjacent to 1919 Lakewood Boulevard and set a date for a public hearing on the vacation for February 10, 2009. (District 4)

DISCUSSION

The owner of the Circle Audi automobile dealership at 1919 Lakewood Boulevard is in the process of remodeling that facility. It is proposed that the secondary roadway separating Circle Audi from Lakewood Boulevard be eliminated and replaced with a more direct connection to Lakewood Boulevard. This street improvement provides a safer intersection design, returns unnecessary public right-of-way to private use, and is supported by the City Traffic Engineer. It is proposed that the area of the old roadway shown on Exhibit A be vacated. Under California law, vacated street areas typically revert in ownership to the adjoining property.

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. Circle Audi proposes to reconstruct the street adjacent to their facility as shown on the attached Exhibit B. This design has been approved by the City Traffic Engineer.
2. On June 5, 2008, the City of Long Beach Planning Commission approved plans for a new showroom, service garage and outdoor display area, and determined that the subject vacation of 168 square feet of Lakewood Boulevard frontage road 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 08-005 was issued for this project. The Planning Department staff report is included as Exhibit C.

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HONORABLE MAYOR AND CITY COUNCIL

January 13, 2009

Page 2

3. Upon satisfactory conclusion of the public hearing, the vacation petitioner will be given permission to complete the roadway improvements shown on Exhibit B. After the roadway improvements are complete to the satisfaction of the City Engineer, a recommendation to adopt a resolution ordering the area proposed to be vacated will be brought before the City Council.
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, satisfying the concerns of the public utility companies, are shown on Exhibit D.

The public hearing on this matter to be held on February 10, 2009, 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 Linda Trang on December 8, 2009.

This matter was reviewed by Deputy City Attorney Linda Trang on December 8, 2008 and Budget Management Officer Victoria Bell on December 23, 2008.

TIMING CONSIDERATIONS

City Council action is requested on January 13, 2009, to allow the reconstruction of the street to proceed along with the redevelopment of Circle Audi.

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,


MICHAEL P. CONWAY
DIRECTOR OF PUBLIC WORKS

MPC:MAC:GMM:sc
PACLIROW- Circle Audi res of intention to vacate.doc

Attachments

APPROVED:


PATRICK H. WEST
CITY MANAGER

EXHIBIT B
Page 2 of 2



CITY OF LONG BEACH

DEPARTMENT OF PUBLIC WORKS

~~H-2~~

333 WEST OCEAN BOULEVARD • LONG BEACH, CA 90802 • (562) 570-6383 • FAX (562) 570-6012

February 10, 2009

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive supporting documentation into the record, hold a public hearing, and find that a portion of Lakewood Boulevard north of the Traffic Circle adjacent to 1919 Lakewood Boulevard is not needed for present or prospective public use.
(District 4)

DISCUSSION

The owner of the Circle Audi automobile dealership at 1919 Lakewood Boulevard is in the process of remodeling that facility. It is proposed that the secondary roadway separating Circle Audi from Lakewood Boulevard be eliminated and replaced with a more direct connection to Lakewood Boulevard. This street improvement provides a safer intersection design, returns unnecessary public right-of-way to private use, and is supported by the City Traffic Engineer. It is proposed that the area of the old roadway shown on Exhibit A be vacated. Under California law, vacated street areas typically revert in ownership to the adjoining property.

On January 13, 2009, the City Council adopted Resolution No. RES-09-0001, declaring its intention to vacate the subject right-of-way, and set February 10, 2009 as the date for the public hearing. A copy of the January 13, 2009 City Council letter is attached as Exhibit B.

Upon satisfactory conclusion of the public hearing, the vacation petitioner will be given permission to complete the required roadway improvements. After the roadway improvements are complete to the satisfaction of the City Engineer, a recommendation to adopt a resolution ordering the vacation of the subject portion of Lakewood Boulevard will be brought before the City Council.

This matter was reviewed by Deputy City Attorney Linda Trang on December 8, 2008 and Budget Management Officer Victoria Bell on December 23, 2008.

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EXHIBIT C
Page 1 of 2

HONORABLE MAYOR AND CITY COUNCIL
February 10, 2009
Page 2

TIMING CONSIDERATIONS

Conclusion of the public hearing and a City Council finding that the portion of Lakewood Boulevard north of the Traffic Circle adjacent to 1919 Lakewood Boulevard is not needed for present or prospective public use on February 10, 2009 will allow the reconstruction of the street to proceed along with the redevelopment of Circle Audi.

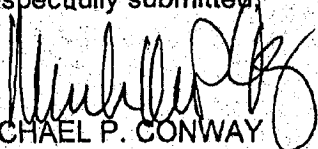
FISCAL IMPACT

A tentative 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,


MICHAEL P. CONWAY
DIRECTOR OF PUBLIC WORKS

APPROVED:


PATRICK H. WEST
CITY MANAGER

MPC:MAC:GMM:sc
P:\CL\ROW Circle Audi vacation PH CL.doc

Attachments

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

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RESOLUTION NO.

A RESOLUTION ORDERING THE VACATION OF A PORTION OF LAKEWOOD BOULEVARD NORTH OF THE TRAFFIC CIRCLE ADJACENT TO 1919 LAKEWOOD BOULEVARD 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 _____ 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, a portion of Lakewood Boulevard north of the traffic circle adjacent to 1919 Lakewood Boulevard, in the City of Long Beach, County of Los Angeles, State of California, described more particularly as follows:

That portion of Lakewood Boulevard of varied width as shown on map of Parcel Map No. 8002 in the City of Long Beach, County of Los Angeles, State of California as per map filed in Book 86 page 91 of parcel maps in the Office of the County Recorder of said County described as follows:

Beginning at the northerly terminus of that certain course in the easterly line of parcel 1 of said parcel map shown on said map as having a bearing and length of S16°06'10"E 108.46 feet; thence along said course and said easterly line, S16°06'10"E 108.50 feet to the beginning of a tangent curve in said easterly line, concave westerly having a radius of 190.00 feet; thence southerly along said curve and said easterly line, through a central angle of 16°17'40" an arc

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distance of 54.03 feet to a tangent point of cusp with a tangent line parallel with and lying 58.00 feet westerly of, measured at right angles from, the centerline of Lakewood Boulevard as shown on said parcel map, said line having a bearing of N0°11'30"E, the radial bearing of said curve at said tangent point of cusp being S89°48'30"E; thence along said tangent line N0°11'30"E 163.97 feet to the beginning of a tangent curve concave southwesterly and having a radius of 4.00 feet, said curve being tangent at its westerly terminus with a compound curve concentric with and lying 10.00 feet southeasterly of the northeasterly extension of the curving northwesterly line of said parcel 1 of said parcel map, said compound curve being concave southeasterly and having a radius of 924.05 feet, thence northerly, northwesterly, and westerly along said tangent curve having a radius of 4.00 feet through a central angle of 99°46'27" an arc length of 6.97 feet to said tangent compound curve concave southeasterly and having a radius of 924.05 feet, a radial bearing of said curve at said tangent point of compound curvature being N9°34'57"W; thence westerly and southwesterly along said tangent compound curve through a central angle of 2°10'46" an arc length of 35.15 feet to a point on the northwesterly prolongation of the northerly line of that certain course in the easterly line of said parcel 1 having a bearing of S16°06'10"E as shown on said parcel map, a radial bearing of last said curve at said point being N11°45'43"W; thence along said northwesterly prolongation N16°06'10"W 10.03 feet to a nontangent curve being said

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northeasterly extension of the curving northwesterly line of said parcel 1, said curve being concave southeasterly and having a radius of 934.05 feet, a radial bearing of said curve at said point bears N11°48'30"W; thence southwesterly along said curve through a central angle of 0°52'02" an arc length of 14.14 feet to tangent point of cusp with that curving northeasterly line of said parcel 1 being a curve concave southwesterly and having a radius of 15.00 feet, a radial bearing of both said curves at said point of cusp being S12°40'32"E; thence easterly and southeasterly along said 15.00 foot radius curve through a central angle of 86°34'22" an arc distance of 22.66 feet to the point of beginning. Containing an area of 2,850 square feet, more or less.

Reserving unto the City of Long Beach, its successors and assigns 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 water lines and all the necessary gates, valves, fittings, hydrants and appurtenances for the transportation of water, with the right of ingress to and egress from the same, over, through, under, along and across that certain property vacated herewith. Access for maintenance of the above-mentioned facilities must be maintained at all times. No improvements shall be constructed within the easement which would impede the operation, maintenance or repair of said facilities. Construction of any improvements, including

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

1 changes of grade, shall be subject to the prior written
2 approval of all the City departments and public utilities
3 responsible for the above said facilities.
4

5 WHEREAS, the City Council did, at said time, fix Tuesday, the _____
6 day of _____, 200_, at the hour of _____ p.m., as the time and the
7 City Council Chamber, Plaza Level of the City Hall, 333 West Ocean Boulevard, in the
8 City of Long Beach, California, as the place for hearing for all persons interested in or
9 objecting to the proposed vacation to appear and be heard; and

10 WHEREAS, notice of the resolution of the intention to vacate, stating the
11 time and place of said hearing, was duly posted in the manner prescribed by law; and

12 WHEREAS, said hearing was called and held before the City Council at the
13 time and place so fixed and evidence taken and received on the matter of said proposed
14 vacation, and the City Council, upon said evidence, now makes those findings of fact set
15 forth in said Exhibit "B", attached hereto and by this reference made a part hereof;

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

18 Section 1. Pursuant to the foregoing resolution of intention, the
19 proceedings had thereunder, Vacation Sketch No. 988V showing a portion of Lakewood
20 Boulevard north of the traffic circle adjacent to 1919 Lakewood Boulevard to be vacated
21 by the City of Long Beach attached hereto as Exhibit "A", and the City Council Findings
22 attached hereto as Exhibit "B", said City Council of the City of Long Beach hereby makes
23 its resolution vacating and closing a portion of the street hereinabove described.

24 Section 2. That this resolution shall take effect immediately upon its
25 adoption by the City Council, and the City Clerk is hereby instructed to certify to the
26 adoption thereof, and to cause a certified copy to be recorded in the Office of the County
27 Recorder of the County of Los Angeles, California.

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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 _____, 20__ by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

SCALE: 1"=80'

SHEET 1 OF 1

0' 40' 80' 160'



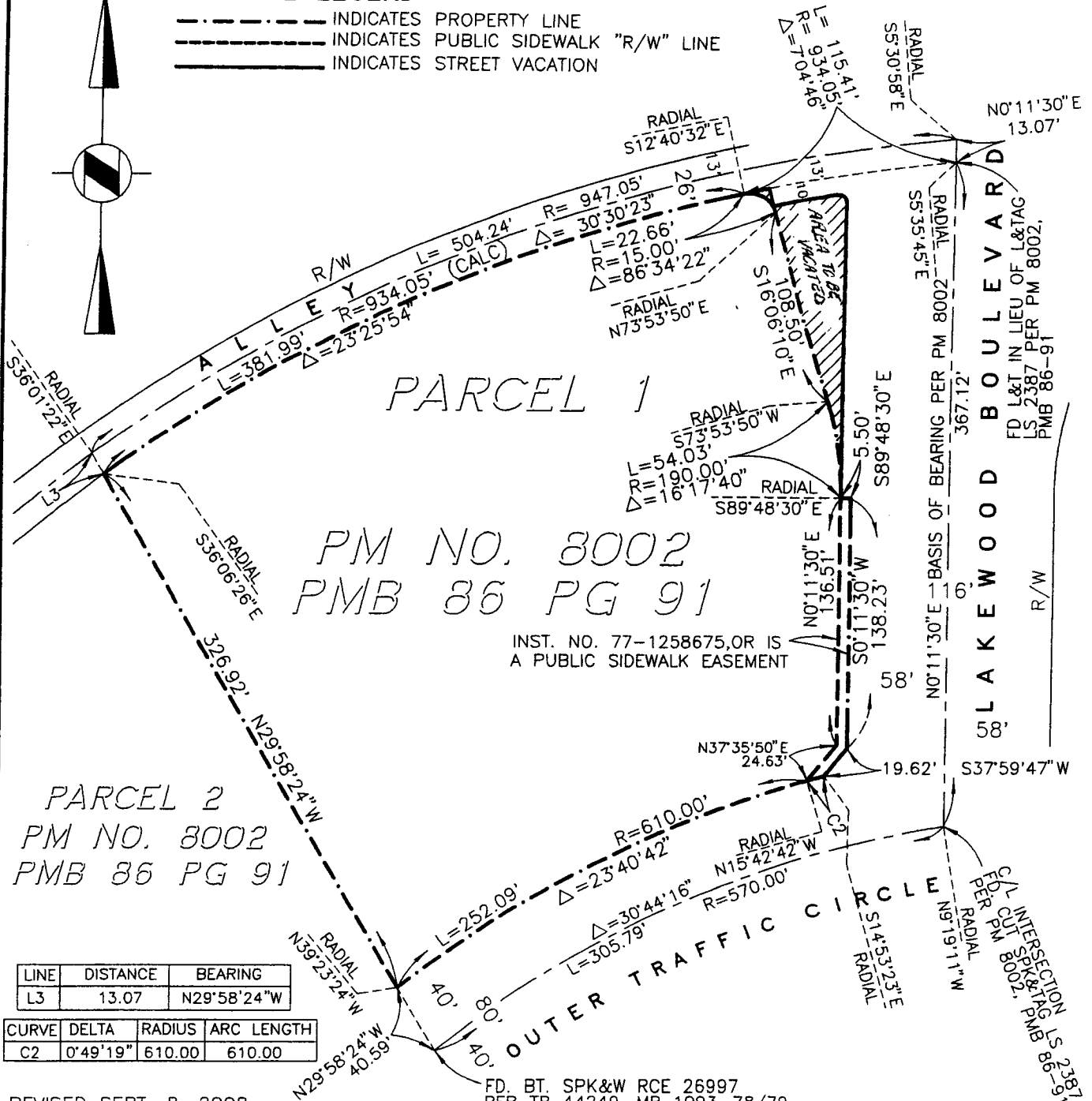
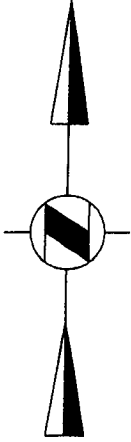
SKETCH NO. 988V

SKETCH SHOWING A PORTION OF LAKEWOOD BOULEVARD NORTH OF THE TRAFFIC CIRCLE TO BE VACATED BY THE CITY OF LONG BEACH.

PAGE 1 OF 2 - VICINITY

LINETYPE LEGEND:

- - - - - INDICATES PROPERTY LINE
- - - - - INDICATES PUBLIC SIDEWALK "R/W" LINE
- INDICATES STREET VACATION



LINE	DISTANCE	BEARING
L3	13.07	N29°58'24"W

CURVE	DELTA	RADIUS	ARC LENGTH
C2	0°49'19"	610.00	610.00

REVISED SEPT. 8, 2008

FD. BT. SPK&W RCE 26997 PER TR 44249, MB 1093-78/79

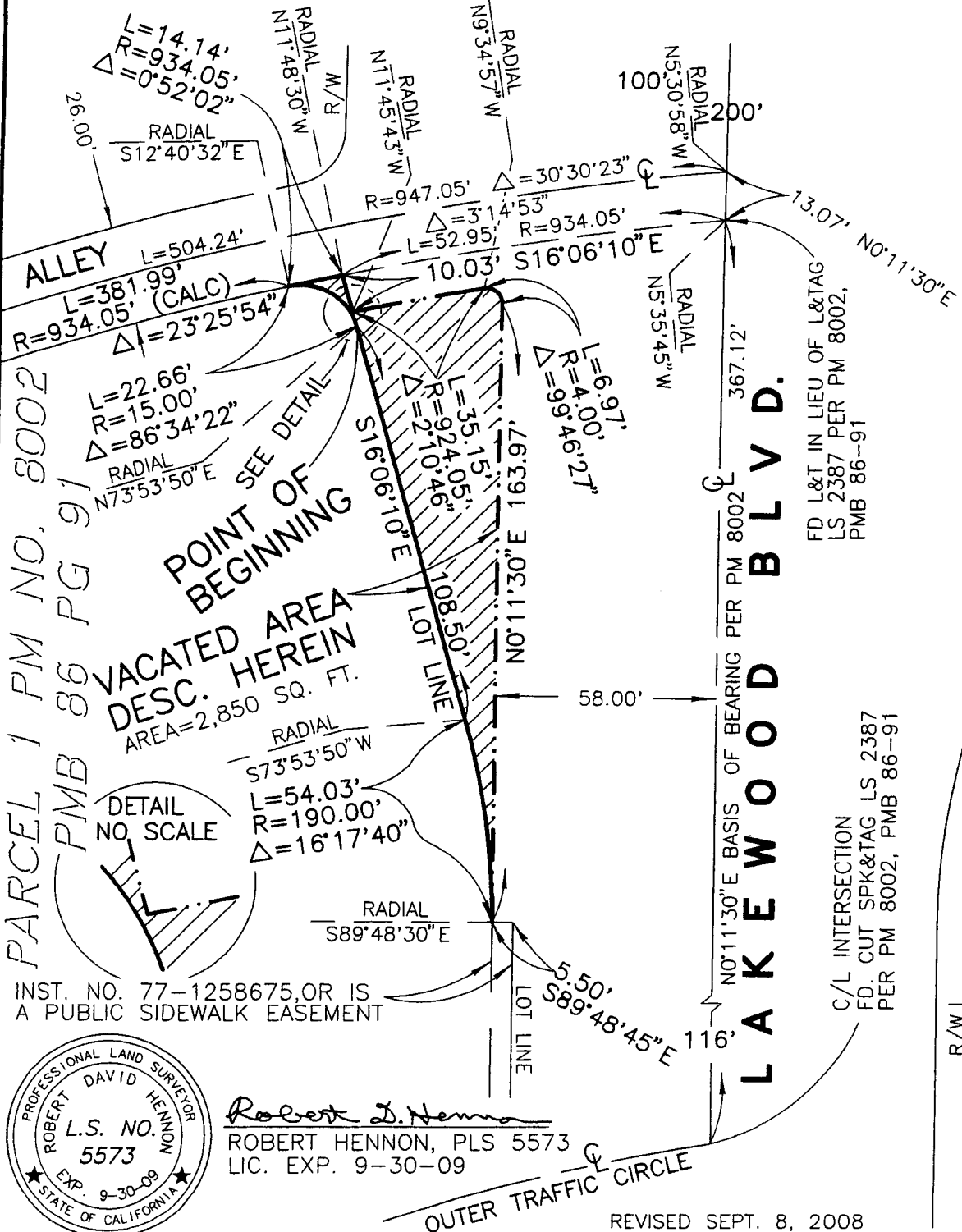
DATE: AUG 6, '08
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FILE: 2603EX3.DWG
PROJECT NO: 2603

EXHIBIT A Page 1 of 2

SCALE: 1"=40'
 SHEET 1 OF 1
 0' 20' 40'

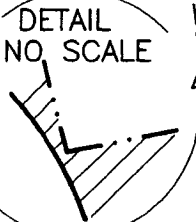


SKETCH NO. 988V
PAGE 2 OF 2

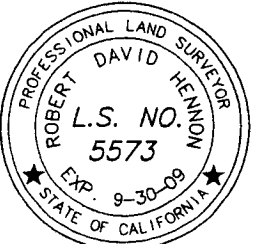


PARCEL 1 PM NO. 8002
 PMB 86 PG 91

VACATED AREA
 DESC. HEREIN
 AREA=2,850 SQ. FT.



INST. NO. 77-1258675 OR IS
 A PUBLIC SIDEWALK EASEMENT

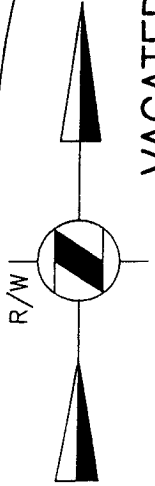


Robert D. Hennon
 ROBERT HENNON, PLS 5573
 LIC. EXP. 9-30-09

LAKELWOOD BLVD.

LEGEND

 VACATED AREA
 DESC. HEREIN



C/L INTERSECTION
 FD. CUT SPK&TAG LS 2387
 PER PM 8002, PMB 86-91

FD L&T IN LIEU OF L&TAG
 LS 2387 PER PM 8002,
 PMB 86-91

OUTER TRAFFIC CIRCLE

REVISED SEPT. 8, 2008

DATE: AUG. 6, 2008
THOM. GDE: 796-A4
FILE: 2603EX2.DWG
PROJECT NO: 2603

EXHIBIT A
Page 2 of 2

CITY COUNCIL FINDINGS

VACATION OF A PORTION OF LAKEWOOD BOULEVARD NORTH OF THE TRAFFIC CIRCLE AND ADJACENT TO 1919 LAKEWOOD BOULEVARD Reference Sketch No. 988V

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

This finding is based upon the following subfindings:

- a) Lakewood Boulevard, the frontage road and the alley intersection adjacent to 1919 Lakewood Boulevard is to be reconstructed to provide a safer configuration.
 - b) The excess public street right-of-way resulting from the reconstruction should be vacated and returned to private use, as it will no longer be needed for public use.
 - c) On June 5, 2008, the Planning Commission determined that the subject vacation is consistent with the General Plan, as required in Section 8313 of the Public Streets, Highways and Service Easements Vacation Law.
 - d) The interested City departments, including Fire and Police, have reviewed the proposed street reconstruction and right-of-way vacation and have no objections to this action. It is a condition of approval that a utility easement will be reserved.
 - e) The right-of-way to be vacated 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 will not be needed for public use.
- f) In conformance with the California Environmental Quality Act, Categorical Exemption No. CE- 08-005 was issued for this project.

EXHIBIT B