



# CITY OF LONG BEACH

## DEPARTMENT OF PUBLIC WORKS

# C-12

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

July 22, 2008

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

### RECOMMENDATION:

Adopt a resolution of intention to vacate the east-west alley north of Seventh Street and west of Dawson Avenue, and set a date for a public hearing on the vacation for August 19, 2008. (District 2)

### DISCUSSION

The owners of the four properties adjacent to an unpaved, 10-foot wide alley right-of-way have requested that the City vacate it due to crime and other nuisance activities occurring within this right-of-way. These are all residential properties which have vehicular access to on-site parking from either Seventh Street, Dawson Avenue, or the north-south alley in this block. The alley portion 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. The alley lies adjacent to the four residential properties along East Seventh Street and Dawson Avenue as shown on Exhibit B.
2. Signed statements were submitted from the owners of the four properties confirming that they do not need the east-west alley for access, and all are in agreement as to vacating the alley.
3. On June 5, 2008, 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, Categorical Exemption Number CE 08-08 was issued for this project. The Planning Department staff report is included as Exhibit C.

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HONORABLE MAYOR AND CITY COUNCIL

July 22, 2008

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4. 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 public hearing on this matter to be held on August 19, 2008, will allow all persons interested in, or objecting to, the proposed vacation to appear and be heard. This matter was reviewed by Budget Management Officer Victoria Bell on July 3, 2008. The proposed resolution of intention to vacate was prepared by Deputy City Attorney Linda Trang on June 24, 2008.

TIMING CONSIDERATIONS

City Council action on this matter is not time critical.

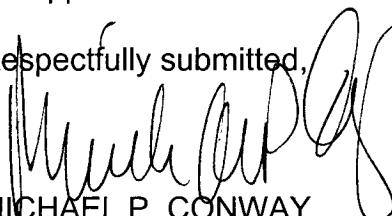
FISCAL IMPACT

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

APPROVED:

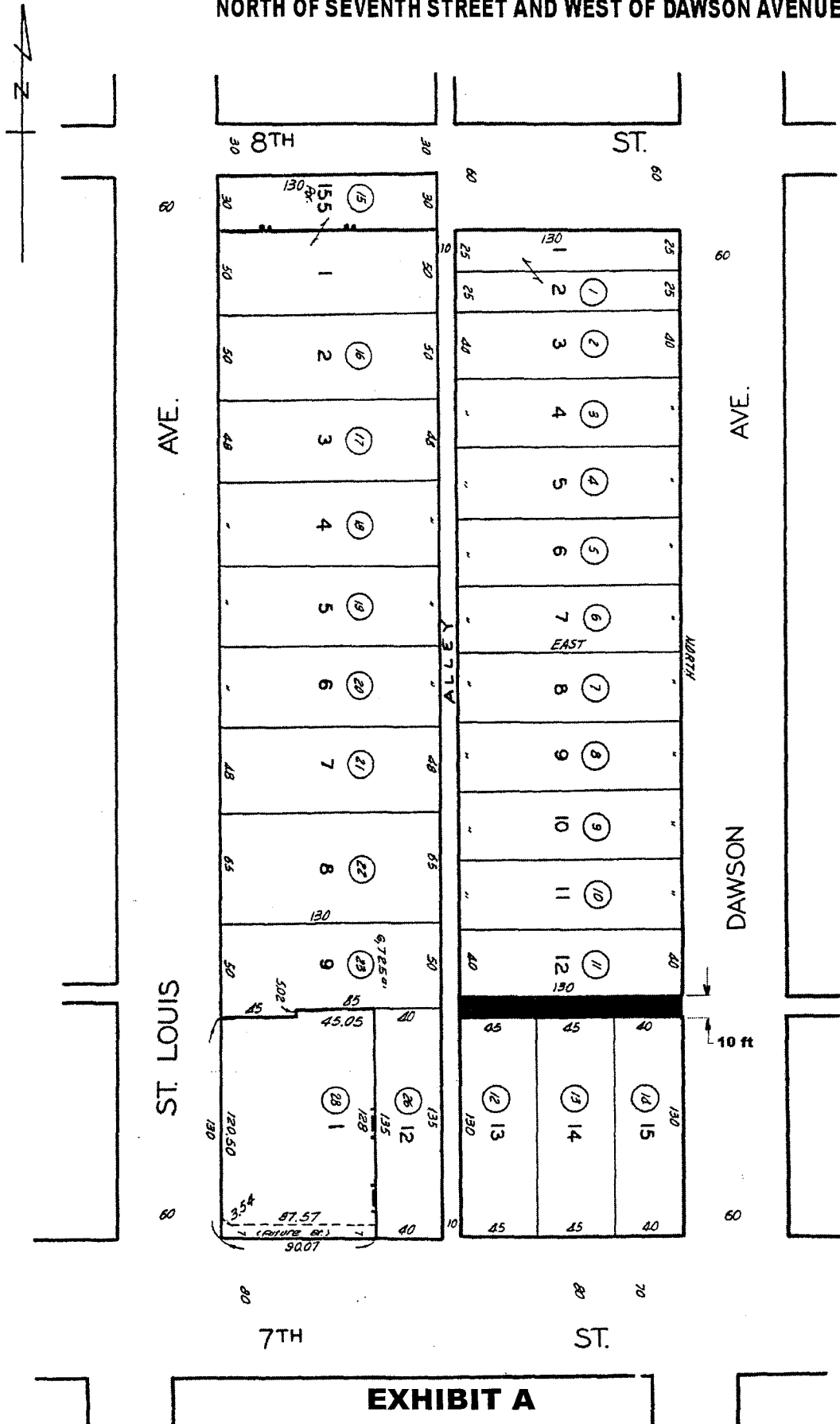


PATRICK H. WEST  
CITY MANAGER

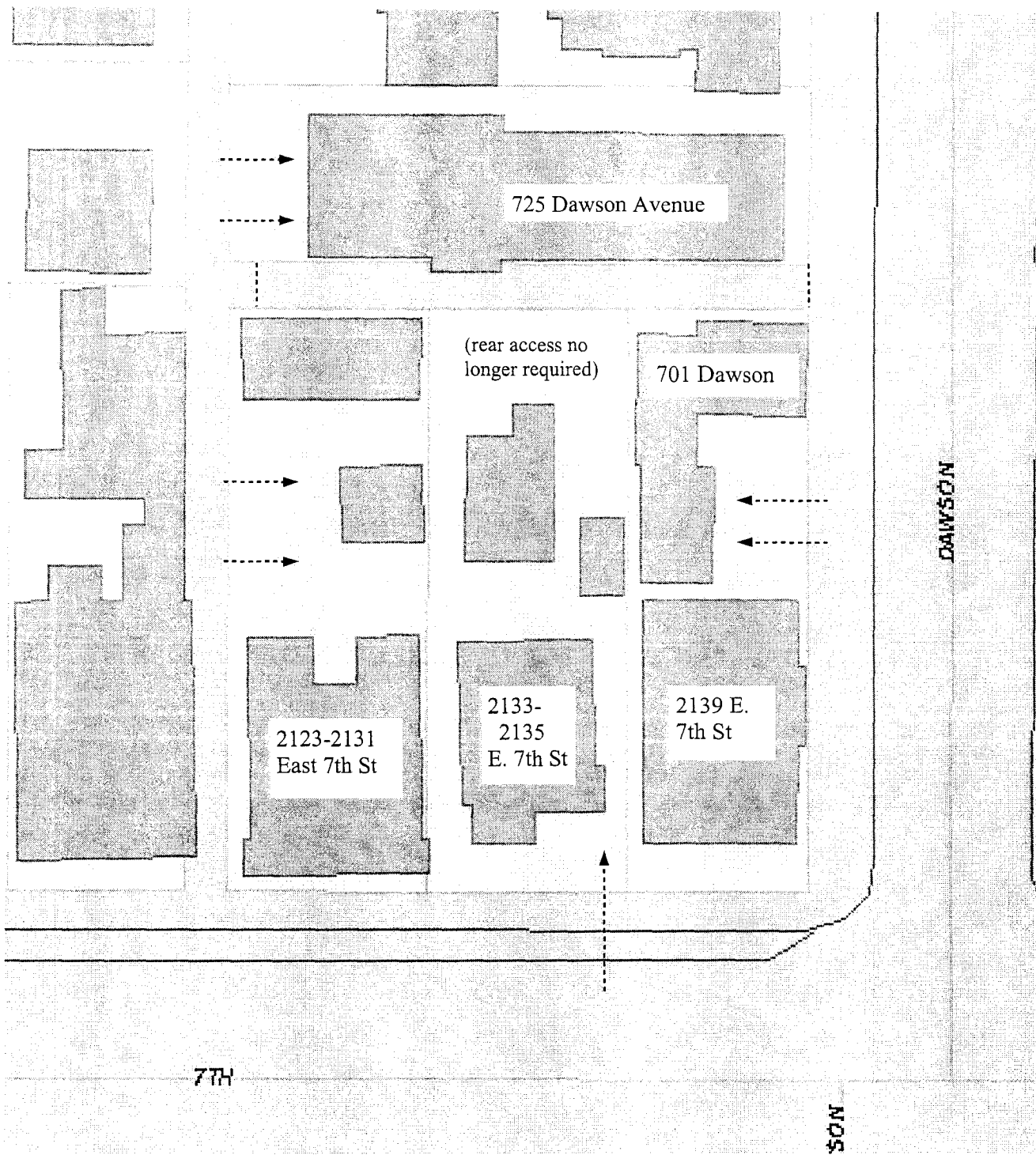
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Attachments

**SKETCH NO. 986V**  
**PROPOSED VACATION OF THE EAST-WEST ALLEY IN THE BLOCK**  
**NORTH OF SEVENTH STREET AND WEST OF DAWSON AVENUE**



**EXHIBIT A**



-----> SHOWS VEHICULAR ACCESS

**EXHIBIT B**



# CITY OF LONG BEACH

LONG BEACH DEVELOPMENT SERVICES

333 West Ocean Boulevard • Long Beach, CA 90802 • (562) 570-6357 FAX (562) 570-6068

June 5, 2008

CHAIRMAN AND PLANNING COMMISSIONERS  
City of Long Beach  
California

RECOMMENDATION: Approve finding of conformity with the adopted General Plan for an alley vacation at 725 Dawson Street. (Council District 2)

APPLICANT: Fernando Soriano  
725 Dawson Street

## 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 public right-of-way vacation is herein submitted for such review.

The applicant proposes to vacate an unpaved alley adjacent to 725 Dawson Street, as depicted in Exhibit A, in order to prevent nuisance behavior and illegal dumping. The alley is currently closed to through traffic and is not needed for traffic circulation. The proposed alley vacation has been reviewed and approved by the Long Beach Public Works Department after consultation with other interested City departments.

A finding of conformity 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 and 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

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 subject site is located within Land Use District No. 1 (Single Family). The intent of LUD No. 1 is to set

**EXHIBIT C****Page 1 of 2**

CHAIR AND PLANNING COMMISSIONERS

June 5, 2008

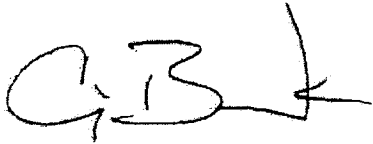
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aside an area for single-family housing. The Land Use Element further recognizes the need for neighborhood revitalization and preservation. The proposed alley vacation may ameliorate some of the external forces that are negatively affecting neighborhood stability. Therefore, the proposed vacation is consistent with Land Use Element.

Environmental Review

In accordance with the guidelines for implementing the California Environmental Quality Act (CEQA), Categorical Exemption number 08-08 was issued (Exhibit B).

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'C. Beck', with a stylized flourish extending from the end.

CRAIG BECK  
DIRECTOR OF DEVELOPMENT SERVICES

CB:GC:JG:IB

Attachment:     Exhibit A – Photo / Diagram  
                     Exhibit B – CE 08-08

## **CONDITIONS OF APPROVAL**

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### **SKETCH NO. 986V**

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 and sewer lines. No structures may be constructed or installed over the easement area.
2. The property owners to whom this alley reverts shall be responsible for maintaining the vacated alley as private property, and it shall be closed to public access to prevent dumping, loitering and other nuisance activities.
3. 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.

GM:SC/ D71

## **EXHIBIT D**

RESOLUTION NO.

A RESOLUTION OF INTENTION TO VACATE THE EAST-WEST ALLEY NORTH OF SEVENTH STREET AND WEST OF DAWSON AVENUE, IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, PURSUANT TO THE PUBLIC STREET, HIGHWAYS AND SERVICE EASEMENTS LAW (DIVISION 9, PART 3, CALIFORNIA STREETS AND HIGHWAYS CODE); FIXING A TIME AND PLACE FOR HEARING ALL PERSONS INTERESTED IN OR OBJECTING TO THE PROPOSED VACATION

The City Council of the City of Long Beach resolves as follows:

Section 1. The City Council of the City of Long Beach hereby elects to proceed under Division 9, Part 3, Chapter 3, of the California Streets and Highways Code, as amended, generally known and referred as the "Public Street, Highways and Service Easements Law", and hereby declares its intention to vacate the east-west alley north of Seventh Street and west of Dawson Avenue, in the City of Long Beach, County of Los Angeles, State of California, described more particularly as follows:

That 10-foot wide east-west alley shown within the Schlobohm Tract in the City of Long Beach, County of Los Angeles, State of California, as shown on the map of said Tract filed in Book 6, Page 179 of Maps in the Office of the County Recorder of said county, bounded on the east by the southerly prolongation of the easterly line of Lot 12 of said tract, and bounded on the west by the southerly prolongation



1 of a line distant 5.00 feet easterly of, measured at right  
2 angles and parallel with, the westerly line of said Lot 12.

3  
4 Reserving unto the City of Long Beach, its successors and  
5 assigns a perpetual easement and right-of-way, at any time  
6 or from time to time, to lay, construct, maintain, operate,  
7 repair, renew, replace, change the size of and remove the  
8 existing utility lines, including, but not limited to, sanitary  
9 sewers together with all necessary gates, valves, fittings,  
10 hydrants and appurtenances for the transportation of water,  
11 with the right of ingress to and egress from the same, over,  
12 through, under, along and across that certain property  
13 vacated herewith; and pursuant to any existing franchises or  
14 renewals thereof, or otherwise, to construct, maintain,  
15 operate, replace, remove, renew and enlarge lines of  
16 conduits, cables, wires, poles and other convenient  
17 structures, equipment and fixtures for the operation of  
18 telephone lines and other communication lines, and for the  
19 transportation or distribution of electric energy, and  
20 incidental purposes including access and the right to keep  
21 the property free from inflammable materials, and wood  
22 growth, and otherwise protect the same from all hazards in,  
23 upon and over the part vacated. Access for maintenance of  
24 the above-mentioned facilities must be maintained at all  
25 times. No improvements shall be constructed within the  
26 easement which would impede the operation, maintenance  
27 or repair of said facilities. Construction of any improvements,  
28 including changes of grade, shall be subject to the prior

1 written approval of all the City departments and public  
2 utilities responsible for the above said facilities.

3  
4 Section 2. All of the foregoing real property is shown on the map or plan  
5 thereof, attached hereto as Exhibit "A", and on file in the office of the City Clerk, which  
6 map or plan is known and referred to as "City of Long Beach Department of Public Works  
7 Vacation Sketch No. 986V".

8 Section 3. The City Council hereby fixes the \_\_\_\_\_ day of  
9 \_\_\_\_\_, 2008 at the hour of \_\_\_\_\_ p.m., as the time and the City  
10 Council Chamber, Plaza Level of the City Hall, 333 West Ocean Boulevard, in the City of  
11 Long Beach, California, as the place for hearing all persons interested in or objecting to  
12 the proposed vacation.

13 Section 4. The City Council hereby directs that notice of this street  
14 vacation be posted conspicuously along the street to be vacated at least two (2) weeks  
15 before the date set for hearing and in the manner provided by Section 8323 of the State  
16 Streets and Highways Code.

17 Section 5. This resolution shall take effect immediately upon its adoption  
18 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 \_\_\_\_\_, 20\_\_ by the following vote:

Ayes: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_  
City Clerk

**SKETCH NO. 986V**  
**PROPOSED VACATION OF THE EAST-WEST ALLEY IN THE BLOCK**  
**NORTH OF SEVENTH STREET AND WEST OF DAWSON AVENUE**

