



Legislation Details (With Text)

File #:	RE0045-04	Version:	1	Name:	Resolution of Intention to vacate a portion of the alley west of Long Beach Boulevard and north of Fourteenth Street, reserving easements for utilities. (District 1)
Type:	Resolution	Status:			Adopted
File created:	4/30/2004	In control:			City Council
On agenda:	5/4/2004	Final action:			9/7/2004
Title:	Resolution of Intention to vacate a portion of the alley west of Long Beach Boulevard and north of Fourteenth Street, reserving easements for utilities. (District 1)				
Sponsors:	Public Works				
Indexes:	Alleys				
Code sections:					
Attachments:	1. 050404-RES-33sr.pdf, 2. 050404-RES-33att.pdf				

Date	Ver.	Action By	Action	Result
5/4/2004	1	City Council	laid over	Pass

Resolution of Intention to vacate a portion of the alley west of Long Beach Boulevard and north of Fourteenth Street, reserving easements for utilities. (District 1)

The owner of Horn's Auto Body at 1427 Long Beach Boulevard requests that the City vacate the alley bisecting his property. There are three property owners adjacent to this alley, but none will lose access if the alley is vacated. This vacation was recommended by the Planning and Building Department as a means to secure the alley against criminal activity. The alley to be vacated is shown on 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 parcels adjacent to this alley are occupied by Horn's Auto Body (1427 Long Beach Boulevard), Farmer's & Merchants Bank (1401 Long Beach Boulevard). and Xpress Auto Sales (1471 Long Beach Boulevard). These parcels and vehicular site access to the parcels are shown on the attached Exhibit B. No access will be lost due the proposed vacation.

2. On February 5, 2004, 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 CE 34-04 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 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 proposed resolution of intention to vacate was prepared by Deputy City Attorney Lisa Peskey Malmsten on March 24, 2004. The City of Long Beach does not guarantee reversionary rights over the vacated right-of-way.

City Council action on this matter is not time critical.

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:

Adopt the attached resolution of intention to vacate as shown on Exhibit A, and set a public hearing for the subject vacation on June 1, 2004, in the City Council chambers, to allow all persons interested in, or objecting to, the proposed vacation to appear and be heard.

A RESOLUTION OF INTENTION TO VACATE A PORTION OF THE ALLEY WEST OF LONG BEACH BOULEVARD AND NORTH OF FOURTEENTH STREET, RESERVING EASEMENTS FOR UTILITIES, 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

Adopt resolution.

Set date of hearing for Tuesday, June 1, 2004, at 5:00 P.M.

CHRISTINE ANDERSON
DIRECTOR OF PUBLIC WORKS