



Legislation Details (With Text)

File #: 06-0884 **Version:** 1 **Name:** PW - RESO of Intention to vacate the east-west alley north of Anaheim Street and west of Elm Avenue

Type: Resolution **Status:** Adopted

File created: 9/6/2006 **In control:** City Council

On agenda: 9/12/2006 **Final action:** 9/12/2006

Title: Recommendation to adopt Resolution of Intention to vacate the east-west alley north of Anaheim Street and west of Elm Avenue, accept an easement deed for the widening of the north-south alley and the sidewalk adjacent to 325 E. Anaheim Street, and set date of hearing for Tuesday, October 10, 2006, at 5:00 P.M. (District 2)

Sponsors: Public Works

Indexes:

Code sections:

Attachments: 1. 091206-C-18sr, 2. 091206-C-18att, 3. RES-06-0102

Date	Ver.	Action By	Action	Result
9/12/2006	1	City Council	approve recommendation and adopt	Pass

Recommendation to adopt Resolution of Intention to vacate the east-west alley north of Anaheim Street and west of Elm Avenue, accept an easement deed for the widening of the north-south alley and the sidewalk adjacent to 325 E. Anaheim Street, and set date of hearing for Tuesday, October 10, 2006, at 5:00 P.M. (District 2)

A 6,700 square-foot commercial building is being built at 325 E. Anaheim Street. The public has not used the adjacent 1 a-foot wide east-west alley for over five years, although it does function as a driveway by the homeowners at 1331 Elm Avenue and 1330 Alamo Court. Rather than widen this alley as a part of this development, staff recommends that the alley be vacated. The proposed vacation action 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 shown on the attached Exhibit B. The lot north of the alley is spli into two single-family residential parcels - 1331 Elm Avenue takes access from the street, and the other, 1330 Alamo Court, takes access from the northsouth alley. Both properties use the alley as a driveway, with a fence dividing the alley at their common property line. The alley has the appearance of private property and has not been open to through traffic for over 5 years.
2. The development plan for 325 E. Anaheim is shown on Exhibit C. No access will be taken from the alley that is to be vacated.
3. The owner of the property being developed has quitclaimed his interest in the south 5 feet of the subject alley to the adjacent property owners on the north side of the alley. This will enable those property owners to continue to use this strip of land as a driveway providing access to their on-site parking.
4. The north-south alley adjacent to 325 E. Anaheim Street is currently 18 feet wide. In order to widen the alley to the City s

20-foot standard, an additional 2 feet of alley width is to be dedicated and improved as a condition of approval for this development. 5. The Anaheim Street sidewalk adjacent to this development is currently 7.5 feet wide. In order to widen the alley to the City's 14-foot standard for Anaheim Street, an additional 5 feet of sidewalk width is to be dedicated and improved. 6. On March 2, 2006, 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, Negative Declaration No. 03-06 was certified for this project. The Planning Department staff report is included as Exhibit D. 7. The public utility companies and interested City departments, including Fire and Police have reviewed the proposed development and right-of-way vacation and have no objections. The Conditions of Approval are listed on Exhibit E. 8. A public hearing for the subject vacation should be set for October 10, 2006, to 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 Lisa Peskay Malmsten on August 14, 2006. The City of Long Beach does not guarantee reversionary rights over the vacated right-of-way.

[Timing Considerations]

A vacation processing fee of \$1,000 was deposited to the General Fund (GP) in the Department of Public Works (PW).

Approve recommendation.

A RESOLUTION OF INTENTION TO VACATE THE EAST-WEST ALLEY NORTH OF ANAHEIM STREET AND WEST OF ELM 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

NAME
TITLE

APPROVED:

GERALD R. MILLER
CITY MANAGER