



## Legislation Text

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**File #:** 13-0984, **Version:** 1

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Recommendation to adopt resolution ordering the summary vacation of subterranean areas adjacent to Redondo Avenue and 20th Street, along the southeast property line of the residential condominium development at 2020 Obispo Avenue. (District 4)

The Aubry Homeowners Association, in conjunction with the Lennar Homes of California, Inc, owner and developer of the condominium development at 2020 Obispo Avenue, is requesting the vacation of a 1.54-foot wide subterranean area along the southeast property line adjacent to 20<sup>th</sup> Street, and a 11.66-foot wide subterranean area along Redondo Avenue for the purpose of installing a retaining wall with soil nails. The area of the proposed vacation is shown on the attached Exhibit A.

Due to the extreme elevation changes at the southeast corner of the Aubry Homes development, it was necessary to install soil nail retaining walls to support the hillside adjacent to the homes. The soil nails extend beneath the sidewalk right-of-way approximately seven feet (7) below grade, with the exception of sections D and D1 shown on sheet 2 of Exhibit A, which are located approximately four feet (4) below grade. The surface rights above the 4-foot to 7-foot vacated area will remain public.

Proceedings for this vacation are being conducted in accordance with Chapter 4, Summary Vacation, of the Public Streets, Highways and Service Easements Vacation Law of the California Streets and Highways Code. Section 8334(b) of that Chapter states that the legislative body of a local agency may summarily vacate a portion of right-of-way, which is excess right-of-way, not required for street or highway purposes. The Department of Public Works supports this action based on the following:

1. The right of way portion is not required for street or highway purposes.
2. The surface rights will remain public and existing public utilities will not be affected by this vacation.
3. On August 15, 2013, the Planning Commission determined that the subject vacation action is consistent with the General Plan. Pursuant to California Government Code Section 65402, no street parcel or alley may be vacated transferred or dedicated until such action has been submitted to, and reported upon, by the Planning Commission as to its conformity with the adopted General Plan.
4. In conformance with the California Environmental Quality Act, Environmental Impact Report (EIR) CE 13-075 was issued for this project. The Planning Department's conformity findings are included as Exhibit B.
5. The City's GIS maps will identify this area as having surface rights to a depth that varies from 4 feet to 7-feet below grade and will indicate the existence of the soil nails installed within the vacated area.
6. The interested City Departments have reviewed the proposed right-of-way vacation and have no objections to this action.

This matter was reviewed by the Long Beach Fire Department on September 19, 2013, by Deputy City Attorney Linda Vu on October 14, 2013, and by Budget Management Officer Victoria Bell on October 21, 2013.

City Council action on this matter is not time critical.

A vacation processing fee of \$7,722 was deposited to the General Fund (GP) in the Department of Public Works (PW). No local jobs will be impacted by this action.

Approve recommendation.

A RESOLUTION ORDERING THE SUMMARY VACATION OF SUBTERRANEAN PORTIONS ALONG THE SOUTHEAST PROPERTY LINE ADJACENT TO REDONDO AVENUE AND 20TH STREET, IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA PURSUANT TO CHAPTER 4, PART 3 OF DIVISION 9 OF THE CALIFORNIA STREET AND HIGHWAYS CODE

ARA MALOYAN, PE  
ACTING DIRECTOR OF PUBLIC WORKS

APPROVED:

PATRICK H. WEST  
CITY MANAGER