



## Legislation Text

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**File #:** 05-2495, **Version:** 1

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Recommendation to adopt resolution of Intention to Vacate the east half of a five-foot wide alley west of Sixty-Eighth Place and south of Ocean Boulevard, and set the required Public Hearing on April 5, 2005.

(District 3)

The builder of a single family home addressed as 6717 Seaside Walk requested that the City vacate the five-foot wide alley adjacent to his property as shown on Exhibit A. This right-of-way dead-ends in private property and provides no access useful to the public. The addresses of the three properties adjoining the portion of the alley proposed to be vacated are 6717 East Seaside Walk, 6735 East Seaside Walk, and 11 Sixty-Eighth Place.

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 City of Long Beach previously vacated the west half of this alley shown on Exhibit B on October 12, 2004, with the adoption of Resolution No. C-28464.
2. The ownership and development of the three properties adjacent to the subject alley portion is shown on the attached Exhibit C. Note that the properties addressed as 6735 East Seaside Walk and 11 Sixty-Eighth Place do not take any access to the 5foot wide alley.
3. On November 18, 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. The action on this date included a modification of the 6717 Seaside Walk Coastal Development Permit to include approval for this alley vacation. In conformance with the California Environmental Quality Act, Categorical Exemption Number 494-04 was issued for this project. The Planning Department staff report is included as Exhibit D.
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 E.

The proposed resolution of intention to vacate was prepared by Deputy City Attorney Lisa Peskay Malmsten on February 7, 2005. The City of Long Beach does not guarantee reversionary rights over the vacated right-of-way. A public hearing to allow all persons interested in or objecting to the

proposed vacation to appear and be heard should be set for April 5, 2005.

[Timing Considerations]

[Fiscal Impact]

Approve recommendation.

A Resolution of Intention to Vacate a portion of the five-foot wide alley west of sixty-eighth place and south of Ocean Boulevard, 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.

[Respectfully Submitted,]