



Legislation Text

File #: 19-1001, **Version:** 1

Recommendation to adopt resolution closing vehicular traffic to a portion of the public right-of-way known as Rhea Street, between Long Beach Boulevard and the first unnamed north-south public alley east of Long Beach Boulevard. (District 6)

In 2016, the City of Long Beach (City) established the Midtown Specific Plan (Plan) to provide land use regulations and design standards for a specific corridor along Long Beach Boulevard. The Plan identifies roadway segments within the Planned Development District proposed to be closed to vehicular traffic for the construction of small street parks (pocket parks) in connection with new development. These pocket parks will provide much needed open spaces for neighborhoods along Long Beach Boulevard.

In 2017, the City approved a proposed mixed-use development to develop a 0.88-acre site at 1900-1940 Long Beach Boulevard. The applicant, LINC Housing Corporation, a California nonprofit corporation, agreed to development conditions that include the closure to vehicular traffic of the segment of Rhea Street, between Long Beach Boulevard and the first unnamed north-south public alley east of Long Beach Boulevard, as well as the construction and maintenance of a pocket park (Attachment A). The closed portion of Rhea Street will be converted into a pocket park to enhance the pedestrian experience in the area.

The proposed closure will serve a variety of functions, such as providing access to abutting properties and side entrances, safe play space for children, a meeting place for neighbors, and enhanced pedestrian and bicycle circulation in the neighborhood. The area will remain public and open to pedestrian and bicycle traffic.

California Vehicle Code Section 21101, provides that local authorities may adopt rules and regulations closing any street or alley in its jurisdiction to vehicular traffic when, in the opinion of the legislative body having jurisdiction, the street or alley is no longer needed for vehicular traffic. The City adopted such rules and regulations in 1997 with Resolution No. C-25791, providing that public park and/or recreational use is a valid justification for street closure to vehicular use.

Findings must establish that the subject portion of right-of-way is unnecessary for vehicular use. The Public Works Department supports this action based on the following evidence, facts, conditions, and findings establishing that the street to be closed is not needed for vehicular traffic:

1. Rhea Street, between Long Beach Boulevard and the first unnamed north-south public alley east of Long Beach Boulevard, is to be closed to vehicular traffic but will remain

open for pedestrian and bicycle use;

2. The proposed pocket park project will not be dedicated or designated as a public park or recreation area for purposes of City Charter Section 905 entitled Parks in Perpetuity. Therefore, the recommended action would not subject the proposed park to the 2:1 replacement ratio under Section 905. If it is determined, due to future land development or for any other reason, that the subject street would better serve the public as a vehicular thoroughfare, vehicular use can be restored, and the closed area would not need to be replaced by other park or recreation areas; and,
3. The improvements to the proposed pocket park will be overseen by the Public Works Department and maintained by LINC Housing Corporation. Notwithstanding, the non-dedication and non-designation of the subject area as a public park within the meaning of Section 905, the proposed pocket park will continue to be controlled and operated by the City.

In conformance with the California Environmental Quality Act, a Final Environmental Impact Report and Mitigation Monitoring and Reporting Program were issued in March 2016 for the Plan.

This matter was reviewed by Deputy City Attorney Amy R. Webber on August 1, 2019 and by Budget Analysis Officer Julissa José-Murray on September 17, 2019.

City Council action is requested on October 8, 2019, to allow the project to proceed in a timely manner.

A tentative vacation processing fee in the amount of \$5,376 was deposited in the General Fund Group in the Public Works Department. This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities. There is no local job impact associated with this recommendation.

Approve recommendation.

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CRAIG A. BECK
DIRECTOR OF PUBLIC WORKS

APPROVED:

THOMAS B. MODICA

ACTING CITY MANAGER