



## Legislation Details (With Text)

<b>File #:</b>	10-0703	<b>Version:</b>	1	<b>Name:</b>	PW - RES of Int for Janice Dr. vacate walkway
<b>Type:</b>	Resolution	<b>Status:</b>		<b>Status:</b>	Adopted
<b>File created:</b>	6/17/2010	<b>In control:</b>		<b>In control:</b>	City Council
<b>On agenda:</b>	7/6/2010	<b>Final action:</b>		<b>Final action:</b>	7/6/2010
<b>Title:</b>	Recommendation to adopt Resolution of Intention to vacate a pedestrian walk between Janice Drive and Harding Street, east of Atlantic Avenue, and set a date for a public hearing for Tuesday, August 3, 2010 at 5:00 p.m. (District 9)				
<b>Sponsors:</b>	Public Works				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. 070610-R-29sr&att.pdf, 2. RES-10-0072.pdf				

Date	Ver.	Action By	Action	Result
7/6/2010	1	City Council	approve recommendation and adopt	Pass

Recommendation to adopt Resolution of Intention to vacate a pedestrian walk between Janice Drive and Harding Street, east of Atlantic Avenue, and set a date for a public hearing for Tuesday, August 3, 2010 at 5:00 p.m. (District 9)

Residents in the vicinity of a 10-foot wide pedestrian-only connection between Janice Drive and Harding Street have requested that this right-of-way be eliminated to increase neighborhood security. The pedestrian right-of-way to be vacated is shown on the attached 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. Community meetings on this matter were held on November 13, 2009, and January 26, 2010. There was general community support for this action.
2. Upon vacation of this right-of-way, the strip of land will revert to adjacent property owners. These property owners have been notified of this and their responsibility to maintain their portion as a part of their lot. Additionally, the adjacent property owners have agreed to construct, at their expense, a concrete block wall down the centerlines of the alley as a condition of the vacation.
3. On June 3, 2010, the 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-29-10 was issued for this action. The

Development Services Department's staff report is included as Exhibit B.

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 C.

The public hearing on this matter to be held on August 3, 2010, will allow all persons interested in, or objecting to, the proposed vacation to appear and be heard.

This matter was reviewed by Deputy City Attorney Linda Trang on June 15, 2010, and by Budget Management Officer Victoria Bell on June 15, 2010.

City Council action is requested on July 6 to set the August 3, 2010 public hearing date on this matter.

There is no fiscal or local job impact to the City.

Approve recommendation.

A RESOLUTION OF INTENTION TO VACATE THE PEDESTRIAN WALK BETWEEN JANICE DRIVE AND HARDING STREET, EAST OF ATLANTIC 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

MICHAEL P. CONWAY  
DIRECTOR OF PUBLIC WORKS

APPROVED:

PATRICK H. WEST  
CITY MANAGER