



Legislation Text

File #: 19-0670, **Version:** 1

Recommendation to adopt Resolution of Intention to vacate the north-south alley, west of Long Beach Boulevard, between East Wardlow Road and 35th Street, and a portion of sidewalk right-of-way adjacent to the development site along Locust Avenue, set a date for a public hearing on the vacation for Tuesday, August 13, 2019, and

Accept Mitigated Negative Declaration 04-18. (District 7)

888-5 Partners, LLC, the developer of a three-story office building, four-story parking structure, and five-unit residential townhome at 3435-3459 Long Beach Boulevard (Laserfiche), requests to vacate the north-south alley that bisects the development site. In addition, to accommodate building setback requirements, a two-foot wide strip of public sidewalk adjacent to the development site along Locust Avenue is also requested to be vacated (Resolution - 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 rights-of-way are 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 the dedicated rights-of-way to be vacated are unnecessary for present or prospective public use:

1. The adjacent property owners agree to the vacation, and private access easement documents are prepared to ensure the vacation of this alley will not result in any "landlocked" lots.
2. The proposed two-foot vacation along Locust Avenue, a local street, will not reduce the right-of-way width to less than the required local street width.
3. Utility easements will be reserved over the alley to provide for various existing utility services. No City refuse collection occurs along this portion of the alley.
4. On January 17, 2019, the Planning Commission determined the subject vacation action is consistent with the General Plan (Resolution - Exhibit B).
5. The interested City departments, including Fire and Police, have reviewed the proposed rights-of-way vacation and have no objections to this action.

In conformance with the California Environmental Quality Act (CEQA), Mitigated Negative

Declaration 04-18 was adopted for this development.

This matter was reviewed by Deputy City Attorney Amy R. Webber and Budget Analysis Officer Julissa José-Murray on June 28, 2019.

City Council action is requested on July 16, 2019, to set a public hearing date on this matter for August 13, 2019.

A tentative vacation processing fee in the amount of \$10,328 was deposited in the General Fund 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:

PATRICK H. WEST
CITY MANAGER