



Legislation Text

File #: 10-1340, **Version:** 1

Recommendation to adopt resolution ordering the summary vacation of Cowles, 14th, 15th, and 16th Streets, all located east of San Francisco Avenue. (District 1)

On June 7, 2010, pursuant to a Real Estate Exchange Agreement, the City of Long Beach conveyed 10.7 acres of City Property to LCW Yard, LLC, in exchange for 33.77 acres of land within the Los Cerritos Wetlands. This area was previously utilized as a part of the City's street maintenance operations. Four dedicated streets separate the parcels that comprise the 10.7 acres, all terminating at the east boundary at the Los Angeles River right-of-way. One at the City's obligations under the Real Estate Exchange Agreement was for staff to commence the steps required to request vacation of those streets included within the boundaries of the conveyed property. Consistent with this requirement, staff presents this item for Council consideration. The street areas proposed to be vacated, are shown on the attached Exhibit A.

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 of that Chapter states that the legislative body of a local agency may summarily vacate that portion of right-at-way that is excess right-of-way, not required for street or highway purposes. The Department of Public Works supports this action based on the following evidence, facts, and conditions, finding that the dedicated rights-of-way to be vacated are unnecessary for present or future public use.

1. On June 7, 2010, the City of Long Beach conveyed 10.7 acres of City Property to LCW Yard, LLC, as shown on the attached Exhibit B, which encompass the streets proposed to be vacated.
2. On December 2, 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 55-10 was issued for this project.
3. There are public utility facilities in the areas proposed to be vacated. Utility easements will, therefore, be reserved and maintained over the entire area being vacated until such time as these utility facilities are properly abandoned or re-routed to facilitate redevelopment of the site, or upon a City determination that limited areas are free and clear of any public utilities.
4. The east edge of the Los Angeles River right-of-way is the westerly limit of the street areas being vacated. Consistent with the May 2008 Long Beach Riverlink plan, the Anaheim Street frontage road will remain in place to accommodate a bicycle connection to the LARIO TRAIL.
5. 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.

The City of Long Beach does not guarantee reversionary rights over the vacated right-of-way.

This matter was reviewed by Deputy City Attorney Linda Trang on November 17, 2010, and by Budget and Performance Management Bureau Manager Lou Palmer on November 19, 2010.

City Council action is being requested on December 14, 2010 to comply with the City's obligation under the Real Estate Exchange Agreement

A vacation-processing fee of \$9,923 was waived in partial compensation for the postclosing occupancy of the conveyed property, without charge. Development of this site, while undetermined in nature, should provide a positive impact on local jobs.

Approve recommendation.

A RESOLUTION ORDERING THE VACATION OF FOURTEENTH, COWLES, FIFTEENTH, AND SIXTEENTH STREETS, ALL LOCATED WEST OF SAN FRANCISCO AVENUE, 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

MICHAEL P. CONWAY
DIRECTOR OF PUBLIC-WORKS

APPROVED:

PATRICK H. WEST
CITY MANAGER