

CITY OF LONG BEACH

DEPARTMENT OF PUBLIC WORKS

333 West Ocean Boulevard 9th Floor • Long Beach, CA 90802 • (562) 570-6383 • Fax (562) 570-6012

~~H-3~~

CH-1

September 18, 2012

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive supporting documentation into the record, conclude the public hearing, find that the area to be vacated is not needed for present or prospective public use, and adopt the attached Resolution ordering the vacation of a portion of the east half of the east/west alley, west of Quincy Avenue and south of 7th Street. (District 3)

DISCUSSION

In order to reduce nuisance activity and illegal dumping in this alley, the resident at 669 Quincy Avenue has requested that the alley be vacated and staff supports this request. The area proposed to be vacated is shown on Exhibit A. Consistent with California land reversion practices, the 2.5 foot wide northern portion of the alley will revert back to the original property owner located at 4540 East 7th Street, and the remaining 15 feet will be divided in half by property owners on each side of the alley. A ten-foot-wide easement has been reserved by Southern California Edison on the north side of the alley as shown on Exhibit B. No buildings may be constructed within the easement area.

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.

On August 14, 2012, the City Council adopted Resolution No. RES-12-0074, declaring its intention to vacate the subject right-of-way, and set September 18, 2012 as the date for the public hearing.

This matter was reviewed by Deputy City Attorney Linda Trang and by Budget Management Officer Victoria Bell on August 27, 2012.

TIMING CONSIDERATIONS

The date of this public hearing was set by City Council action.

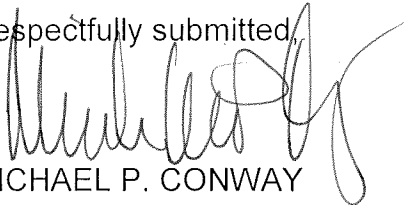
FISCAL IMPACT

Both the Tentative Fee in the amount of \$7,080 and the Final Fee in the amount of \$7,080, for a total amount of \$14,160, have been paid by the petitioner and deposited to the General Fund (GP). Approval of this vacation would potentially have a positive impact on the local job market.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



MICHAEL P. CONWAY
DIRECTOR OF PUBLIC WORKS

APPROVED:



PATRICK H. WEST
CITY MANAGER

MPC:AM:GMM:SDJ:db
PCL\ROW 7th & Quincy Alley Vacation.rev1.doc

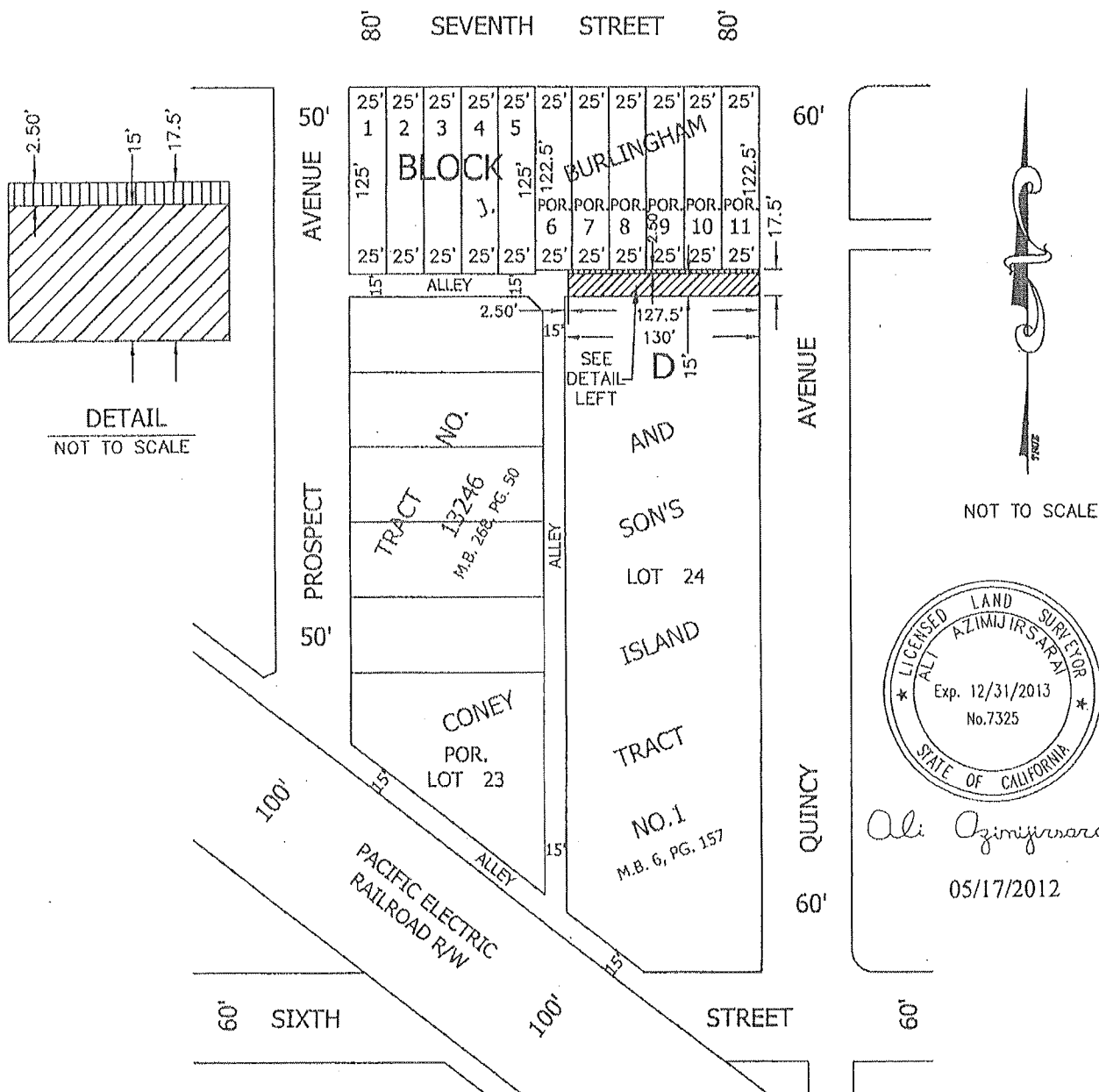
Attachments:



Exhibit A – Vacation Site Map

Exhibit B – Utility Site Map

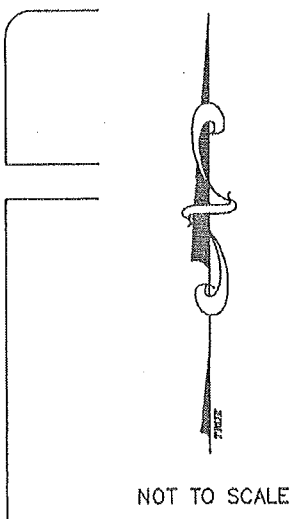
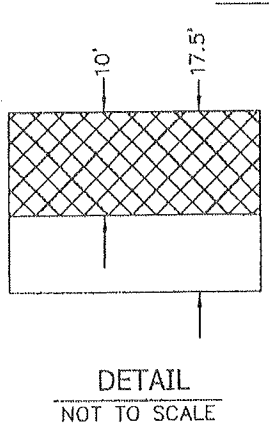
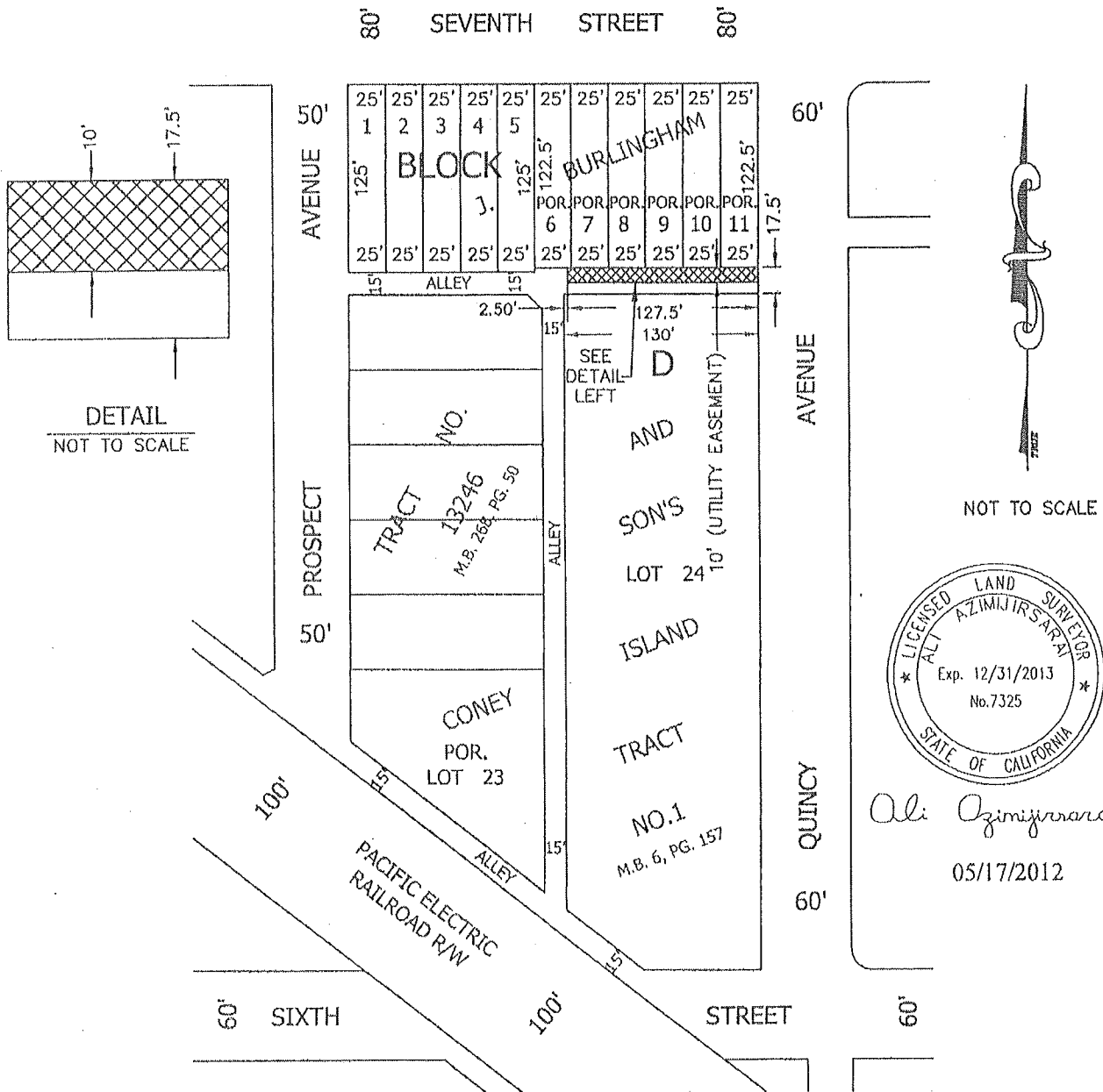
Resolution

SKETCH SHOWING PORTIONS OF LOTS 6, 7, 8, 9, 10 AND 11 OF BLOCK D,
 J. BURLINGHAM AND SON'S CONEY ISLAND TRACT NO. 1 AS DEDICATED
 TO THE CITY OF LONG BEACH FOR ALLEY PURPOSES AND A PORTION OF THE
 EAST - WEST 15 FOOT WIDE ALLEY IN SAID BLOCK D TO BE VACATED
 BY THE CITY OF LONG BEACH



-  PORTION THE 2.50 FEET WIDE ALLEY DEDICATED TO THE CITY OF LONG BEACH BY INSTRUMENT NO. 91-62531, JAN. 15, 1991 TO BE VACATED
-  PORTION OF THE 15 FEET WIDE ALLEY TO BE VACATED

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Ali Azimijirani
 05/17/2012

10 FEET WIDE UTILITY EASEMENT

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

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RESOLUTION NO.

A RESOLUTION ORDERING THE VACATION OF
THE EAST HALF OF THE EAST-WEST ALLEY, SOUTH OF
7TH STREET AND WEST OF QUINCY AVENUE IN THE
CITY OF LONG BEACH, COUNTY OF LOS ANGELES,
STATE OF CALIFORNIA

WHEREAS, the City Council of the City of Long Beach, did heretofore, on
the 14th of August, 2012, by Resolution No. RES-12-0074, declare its intention to order
the vacation, pursuant to the provisions of the Public Streets, Highways, and Service
Easements Vacation Law (California Streets and Highways Code, Section 8300 *et seq.*),
the east half of the east-west alley, south of 7th Street and west of Quincy Avenue, in the
City of Long Beach, County of Los Angeles, State of California, described more
particularly as follows:

That portion of the southerly 2.50 feet of Lots 6, 7, 8, 9, 10
and 11 in Block "D" of J. Burlingham and Son's Coney Island
Tract No. 1, in the City of Long Beach, County of Los
Angeles, State of California, as per map recorded in Book 6,
Page 157 of Maps, in the office of the County Recorder of
said County, as dedicated to and accepted by the City of
Long Beach for alley purposes by deed recorded January
15, 1991 as Instrument No. 91-62531 of Official Records of
said County and that portion of the 15 feet wide east-west
alley abutting the south line of said Lots 6, 7, 8, 9, 10 and 11,
all being bounded on the east by the westerly sideline of
Quincy Avenue, 60 feet wide, and bounded on the west by
the northerly prolongation of the easterly line of the westerly

1 2.5 feet of Lot 24 of Block "D" of said J. Burlingham and
2 Son's Coney Island Tract No. 1.
3 Reserving a utility easement over the northerly 10.00 feet of
4 the above described land.
5 Contains 223.1 square feet, more or less.

6 WHEREAS, the City Council did, at said time, fix Tuesday, the 18th
7 day of September, 2012, at the hour of 5:00 p.m., as the time and the
8 City Council Chamber, Plaza Level of the City Hall, 333 West Ocean Boulevard, in the
9 City of Long Beach, California, as the place for hearing for all persons interested in or
10 objecting to the proposed vacation to appear and be heard; and

11 WHEREAS, notice of the resolution of the intention to vacate, stating the
12 time and place of said hearing, was duly posted in the manner prescribed by law; and

13 WHEREAS, said hearing was called and held before the City Council at the
14 time and place so fixed and evidence taken and received on the matter of said proposed
15 vacation, and the City Council, upon said evidence, now makes those findings of fact set
16 forth in said Exhibit "B", attached hereto and by this reference made a part hereof;

17 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
18 follows:

19 Section 1. Pursuant to the foregoing resolution of intention, the
20 proceedings had thereunder, Vacation Sketch No. 1002V showing the east half of the
21 east-west alley, south of 7th Street and west of Quincy Avenue to be vacated by the City
22 of Long Beach attached hereto as Exhibit "A", and the City Council Findings attached
23 hereto as Exhibit "B", said City Council of the City of Long Beach hereby makes its
24 resolution vacating and closing a portion of the street hereinabove described.

25 Section 2. That this resolution shall take effect immediately upon its
26 adoption by the City Council, and the City Clerk is hereby instructed to certify to the
27 adoption thereof, and to cause a certified copy to be recorded in the Office of the County
28 Recorder of the County of Los Angeles, California.

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I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of August 14th, 2012 by the following vote:

Ayes: Councilmembers: _____

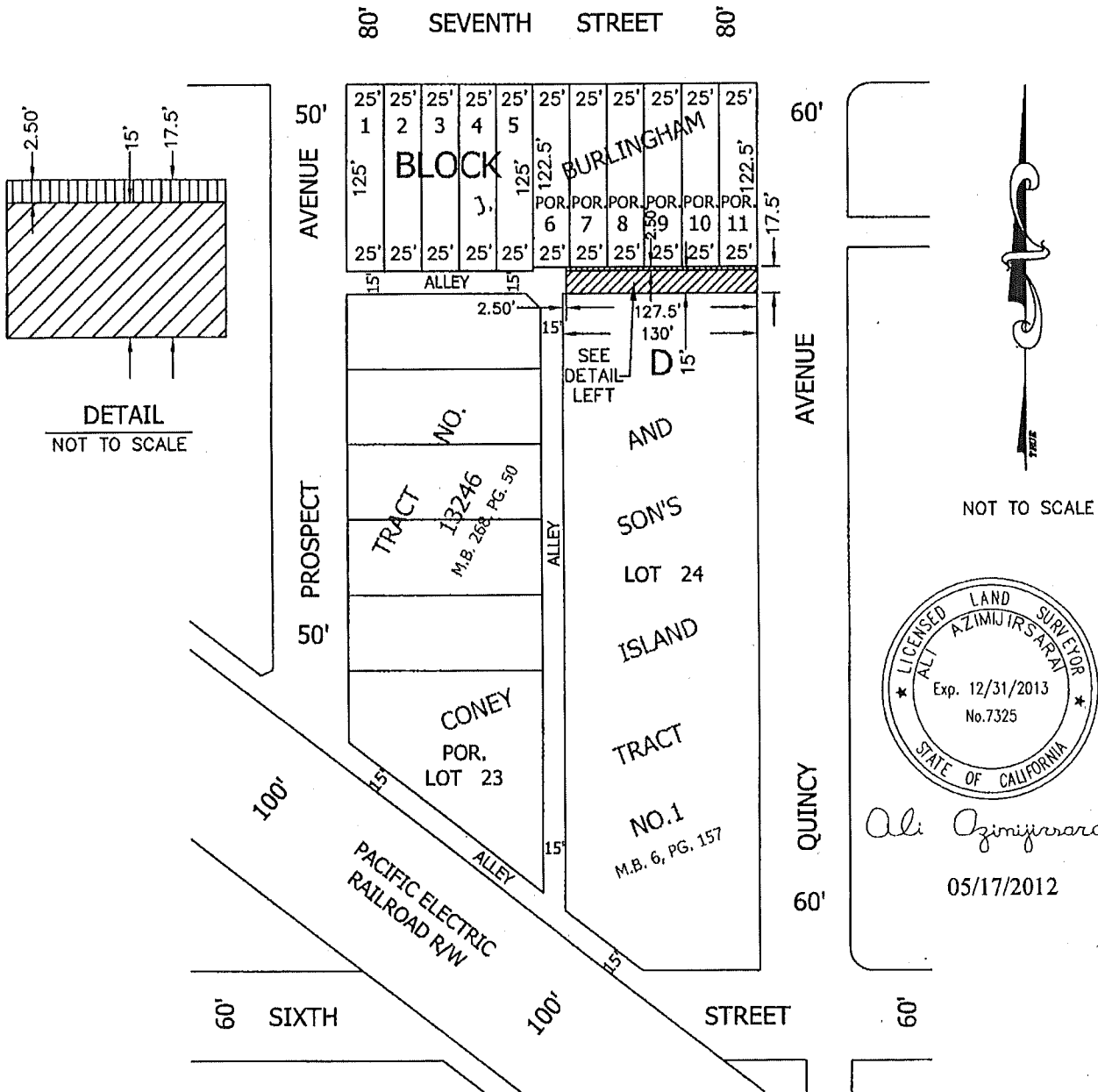
Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk

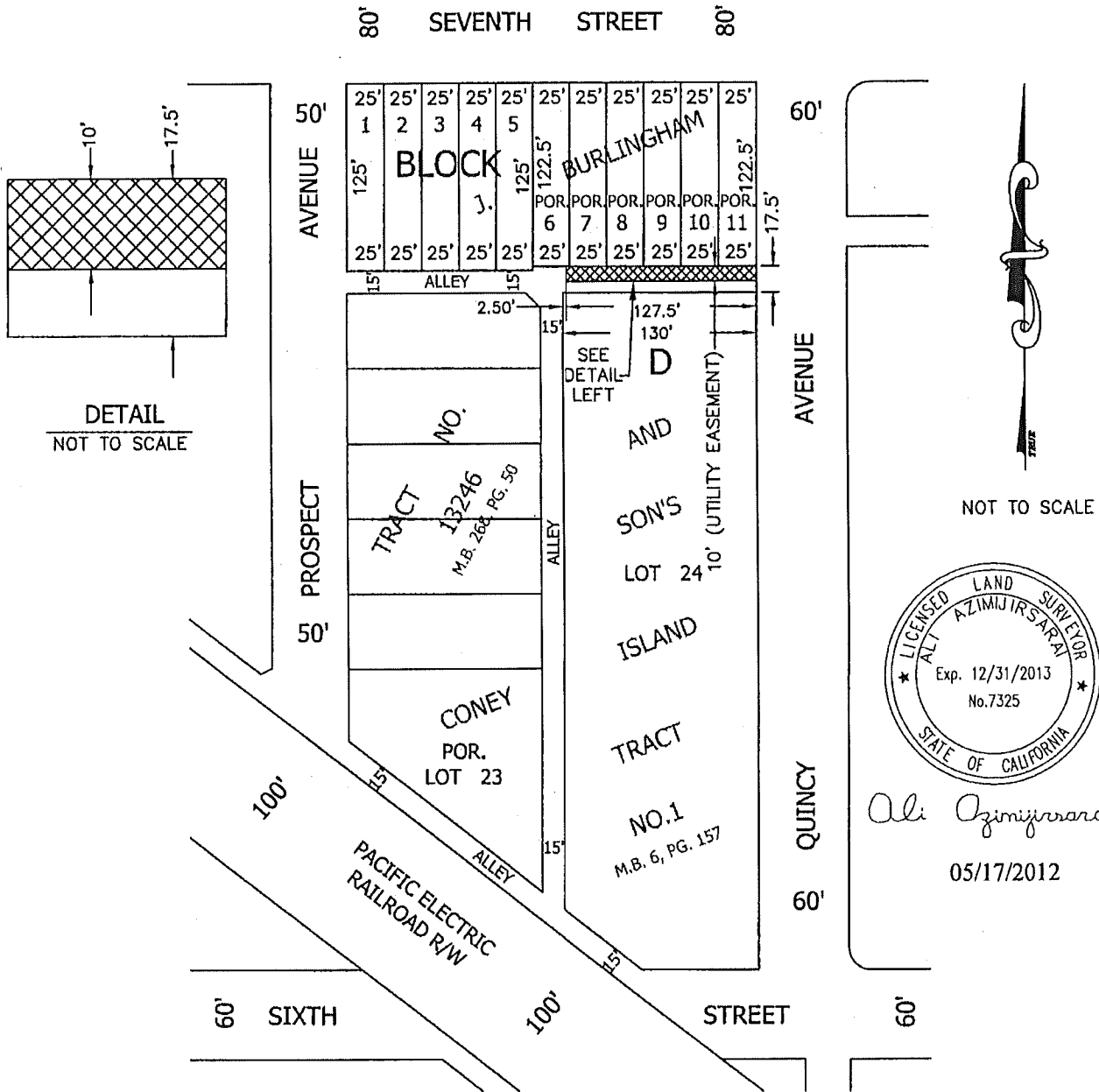
OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
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DETAIL
 NOT TO SCALE

NOT TO SCALE



Ali Azimjir Sarai
 05/17/2012

 10 FEET WIDE UTILITY EASEMENT

CITY COUNCIL FINDINGS

VACATION OF THE EAST HALF OF THE EAST/WEST ALLEY WEST OF QUINCY AVENUE AND SOUTH OF 7TH STREET

Reference Sketch No. 1002V

1. The subject right-of-way is unnecessary for present or prospective public use.

This finding is based upon the following subfindings:

- a) On December 1, 2011, the Planning Commission determined that the subject vacation is consistent with the General Plan, as required in Section 8313 of the Public Streets, Highways and Service Easements Vacation Law.
- b) The interested City departments, including Fire and Police, have reviewed the proposed right-of-way vacation and have no objections to this action.
- c) The rights-of-way would not be useful for exclusive bicycle pathway purposes.

2. The vacation of said rights-of-way will not have a significantly adverse environmental effect.

This finding is based upon the following subfindings:

- a) The right-of-way is not and will not be needed for public use.
- d) In conformance with the California Environmental Quality Act, Categorical Exemption Number 139-11 was issued for this project.

EXHIBIT B

~~H-3~~

Attachment

Lucee S. Kirka
652 Prospect Avenue
Long Beach, CA 90814

September 6, 2012

Honorable Mayor Bob Foster and City Council Members
333 Ocean Boulevard, 14th Floor
Long Beach, California 90802

Re: Intention to vacate the east half of the east-west alley, south of 7th Street and west of Quincy Avenue

Honorable Mayor and City Council Members:

I write to vehemently object to the proposed alley closure for a number of reasons which I discuss in detail below. While this process has been going on for almost a year, the neighbors were not notified until Labor Day weekend. I will not be able to attend the public hearing on September 18, 2012 since I will be out of the country. I therefore ask that this matter be postponed until October 9, 2012 when I would be able to attend the meeting and present my objections in person with photographic evidence and a diagram to show the problems that will be created by the proposed closure of the alley. As this process has been going on so long, a slight delay would not be detrimental.

My mother lives at 652 Prospect Avenue, the home where my sister and I grew up, and where we have lived since 1961. My mother uses the alley that is proposed to be closed daily, as do I when I am home every weekend. I also own a duplex located at 640 – 642 Prospect Avenue. All of these residences, as well as others, have garages on the alley running parallel to and between Prospect and Quincy (the "Parallel Alley"). This Parallel Alley Ts into an alley that is parallel to 7th Street and runs between Prospect and Quincy; the vacation deals with the eastern half of the perpendicular alley, closing it from Quincy to the Parallel Alley. The only other access to the Parallel Alley providing access to the residences on Prospect and Quincy is through a narrow 15 foot access off of 6th Street.

Streets and Highways Code section 8324 provides that the City Council may adopt a resolution vacating the alley if it finds, based on all of the evidence presented, that the alley is unnecessary for present or prospective public use. Because the alley that is proposed to be closed is heavily used every day and every night by the residents of Prospect and Quincy Avenues, this necessary finding cannot be made. Although access would still be available to the parallel alley from Prospect, such access alone is not sufficient. Furthermore, because the alley is in constant use, the City's proposed CEQA exemption is not applicable.

Mayor Foster and Council Members
Vacation of Alley
Page 2

Closure of the alley will result in accidents and restricted access to more than 30 residences

Although there is a narrow access from the southern end of the Parallel Alley, this access is rarely used because it can only be reached from another 15' alley, making access difficult. Access to the Parallel Alley is thus primarily from the entrances to the perpendicular alley from Quincy and Prospect and of these two, access from Quincy is safer and easier due to the parking issues along Prospect and the fact that Prospect is 10 feet narrower than Quincy (50 feet as opposed to 60 feet). The alley that the City is proposing to close therefore provides at least 50% of the access to more than 24 residences and two multi-unit apartment buildings.

This is a highly congested and densely populated area. There is frequently no parking available on Prospect, Quincy or 7th Street in the evenings after people have returned home from work or school. Cars are parked on Prospect up to the corner of 7th Street as well as up to the corners of the alley. There is often not enough room to turn north towards 7th Street from the perpendicular portion of the east-west alley that is to remain open when there are parked cars. And if there is a car going south on Prospect there is not enough room for the cars to pass each other. There have already been multiple accidents at the corner – my sister was in one – because of the narrowness of Prospect Avenue. If there is a car on Prospect waiting to get onto 7th Street, there is not enough room for a car turning onto Prospect to pass by the waiting car. These problems will only be exacerbated if the eastern portion of the perpendicular alley is allowed to be closed as all vehicles will be forced to use the Prospect access.

Additionally, there is a telephone pole at the corner of the only alley that will provide direct access to the Parallel Alley between Quincy and Prospect. When the residents at 670 – 671 Prospect park behind their garage (a typical occurrence), the turn at the T intersection is so tight that many times people have hit the telephone pole trying to make the turn towards Prospect, damaging the telephone pole which already has large chunks of wood missing from it.

While there are also often parked cars on Quincy to the edges of the alley, cars can still turn because Quincy is 10 feet wider and the turning radius much greater.

I spoke with the City Engineer who visited the area; but he visited during the day (when there is plenty of parking) not during the evening when parking is extremely limited. I would request that the City Engineer come and view the area after 6 pm to have a more accurate view of the traffic and parking problems which exist in the neighborhood.

Closure of the alley will reduce available access to the Fire Department

Even though the Fire Department has approved the vacation, I know that in the past the Fire Department has provided emergency services using the same alley that is proposed to be closed. Specifically, the Fire Department used the alley that is to be closed when a fire occurred at the garage next door to the Quincy homeowner who is petitioning for the closure of the alley. Also, because of the scarcity of parking, the residents at 670 – 671 Prospect often park behind and next to their garage (which is across the alley from the Quincy homeowner). I do not know

Mayor Foster and Council Members
Vacation of Alley
Page 3

if the Fire Department viewed the area when cars were parked behind 670 – 671 Prospect or behind the apartment building at the corner of Prospect and 6th Street. I do not know how a fire truck would be able to get by from Prospect or 6th Street if such parking areas were full, as they usually are in the evenings. The situation that will result from the proposed alley closure will create a dangerous situation for all of the neighbors.

Closure of the alley will reduce available access to sanitation services

Care Mark, the business that is joining in the petition to close the alley, has its dumpster at the corner of the alley that is proposed to be closed and Quincy Avenue. While I understand that the Sanitation Department or other trash services have said that they will be able to provide services to Care Mark if it moves the dumpster to other end of their property, at this point the City trash trucks and other trash haulers for the neighborhood are often unable to make the turn towards Prospect Avenue if there are cars parked at 670 – 671 Prospect. The trucks honk their horns for minutes at a time, and then if the cars are not moved, they back up the entire length of the alley between Prospect and Quincy to be able to get out on 6th Street. While I commend their ability to be able to drive backwards for an entire city block, that cannot be considered safe.

The map attached to the Notice given to homeowners is misleading and confusing

The map attached to the Notice mailed out to homeowners is misleading because it makes it appear that there is only one parcel of land on Quincy affected by the alley closure, and that such home belongs to the Quincy homeowner petitioning for the closure of the alley. In fact, Quincy is subdivided into nine different parcels, the vast majority of which are improved with multiple homes and all of which will be affected by the closure. I have attached a copy of the Los Angeles County Assessor's Map for the area which more accurately shows the number of affected parcels.

I have spoken to several of my neighbors, all of whom have said that they did not understand that what the Notice meant and that they were surprised that the City was planning on closing the alley.

The information provided to the Planning Commission was misleading and vacation is not in conformance with the General Plan

Government Code section 65402 requires the Planning Commission to make a consistency finding with the adopted General Plan. The staff report which was provided to the Planning Commission was inadequate at best.

The staff report states that the Quincy homeowner's site is located in an area set aside for single-family housing. However, the report fails to point out that this neighborhood was previously zoned for multi-family dwellings and is fully developed. Only two of the 14 parcels that will be affected by the alley closure are improved with single family homes. Eleven of the affected parcels, including that of the Quincy homeowner, are improved with duplexes and one

Mayor Foster and Council Members
Vacation of Alley
Page 4

of them is improved with an apartment building containing at least ten units. There is also a second apartment building located at the corner of Prospect and 7th Street, next to the Care Mark facility, which contains more than 20 units.

The staff report also fails to even discuss the traffic patterns and parking problems in the neighborhood. Just as the Land Use Element recognizes the need for neighborhood revitalization and preservation, the Transportation Element (both of which are woefully out of date) recognizes the importance of the quality of life in residential neighborhoods. While the vacation may revitalize the applicant's property and improve her quality of life, for the reasons set forth above the vacation will actually be detrimental to all of the other residents in the area as the quality of life will deteriorate as traffic will worsen and safety concerns will increase.

Closure of the alley will cause more traffic and safety issues, negatively impacting neighborhood stability rather than improving it. Accordingly, closure of the alley is not consistent with the City's General Plan.

The exemption relied on by the City from CEQA requirements is not available

The City's staff report concerning the alley closure found that the vacation of the alley, which is a project, is categorically exempt from California Environmental Quality Act ("CEQA") under 14 Cal. Code of Regs. 15301. The proposed Notice of Exemption states "No change in use." That assertion is not correct as the alley is in constant and daily use and closure of the alley would clearly be a change in use.

Furthermore, this exemption from CEQA is for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, equipment, or topographical features. This exemption does not apply to the closure of an alley which is used by vehicular traffic. There also does not appear to be any other categorical exemptions from CEQA for this project. Since the categorical exemptions do not apply, the City needs to do an initial study for the project and provide a review period for the negative declaration, mitigated negative declaration or EIR that must be prepared. In evaluating the impacts, specific attention should be given to impacts relating to traffic impacts and safety impacts of the alley closure.

The alley was dedicated more than 100 years ago and is even more important today

The alley was dedicated as a street in 1905, more than 100 years ago. It is even more vital for access today because of the dramatically increased density and traffic in the area. It is used every day and every night, more so than when it first became a street.

Mayor Foster and Council Members
Vacation of Alley
Page 5

The nuisance activity and illegal dumping problems can be minimized by less drastic actions

Closing needed public access to multiple residences is not an appropriate solution for a trash problem. While I sympathize with the Quincy homeowner's and Care Mark's concerns about preventing nuisance activity and illegal dumping, these problems have arisen in large part because Care Mark moved the location of their dumpster from a different area on their property to the corner of the alley and Quincy. These problems could be minimized by less drastic means than closing the alley. Specifically Care Mark could move their dumpster back to where it used to be, which is actually the location where Care Mark has proposed to move the dumpster if the alley is closed. The new location in fact would be very near the dumpster for one of the multi-unit apartment buildings that will be affected by the alley closure.

Also, while the proposal also cites vandalism concerns, it may be that such problems will not exist once the Quincy homeowner completes the extensive construction project on her property that has been going on for several years.

Closing the alley in order to benefit one homeowner at the expense of over 30 others is unfair

I sympathize with the Quincy homeowner's desire to obtain a yard, a private driveway, and private parking. I too would like to have a yard, a private driveway and private parking, especially when I return home in the evenings and cannot find parking on Prospect. I too would rather not have people drive past my home through the alley that runs behind my home, or dump items in my trash barrels. However, we knew there was an alley there when we bought our home in 1961, and I knew there was an alley there when I bought the duplex next door years later. We use the alleys daily. Both the Quincy homeowner and Care Mark were also aware of the location and use of the alley when they purchased their properties. Allowing an alley that is used daily and provides access to 14 parcels, more than 30 residences and a second multi-unit apartment building to benefit one homeowner is fundamentally unfair.

The alley is necessary for present and prospective use

As stated at the outset, while the City Council can vacate if it finds that the street is unnecessary for present or prospective use, and the proposed resolution includes findings to this effect saying it is not and will not be needed for public use, this finding cannot be made because the alley provides access not only to the Quincy homeowner's property, but to 14 other lots and more than 30 residences. The alley is currently heavily used multiple times daily, and will continue to be used for access unless it is closed. Although access to 7th Street would still be possible from Prospect Ave, this access is much more difficult to use and less safe, as I described earlier.

Mayor Foster and Council Members
Vacation of Alley
Page 6

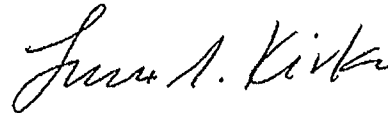
The conclusion concerning the fiscal impact of the closing of the alley is doubtful

I further note that the finding that closing the alley will have a positive impact on jobs is highly doubtful as the only jobs that could be created would be very temporary construction jobs.

For all of the above reasons, I request that the proposed vacation of the alley, the effective closure of the alley, be denied or at the very least that the hearing be continued until at least October 9, 2012 when I can be in attendance.

Thank you for your consideration.

Very truly yours,



Lucee S. Kirka

cc: City Manager
Deputy City Attorney
Director of Public Works
City Engineer

9-18-12
~~H-3~~

Lucee S. Kirka
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I spoke with the City Engineer who visited the area, but he visited during the day (when there is plenty of parking) not during the evening when parking is extremely limited. I would request that the City Engineer come and view the area after 6 pm to have a more accurate view of the traffic and parking problems which exist in the neighborhood.

Closure of the alley will reduce available access to the Fire Department

Even though the Fire Department has approved the vacation, I know that in the past the Fire Department has provided emergency services using the same alley that is proposed to be closed. Specifically, the Fire Department used the alley that is to be closed when a fire occurred at the garage next door to the Quincy homeowner who is petitioning for the closure of the alley. Also, because of the scarcity of parking, the residents at 670 – 671 Prospect often park behind and next to their garage (which is across the alley from the Quincy homeowner). I do not know

if the Fire Department viewed the area when cars were parked behind 670 – 671 Prospect or behind the apartment building at the corner of Prospect and 6th Street. I do not know how a fire truck would be able to get by from Prospect or 6th Street if such parking areas were full, as they usually are in the evenings. The situation that will result from the proposed alley closure will create a dangerous situation for all of the neighbors.

Closure of the alley will reduce available access to sanitation services

Care Mark, the business that is joining in the petition to close the alley, has its dumpster at the corner of the alley that is proposed to be closed and Quincy Avenue. While I understand that the Sanitation Department or other trash services have said that they will be able to provide services to Care Mark if it moves the dumpster to other end of their property, at this point the City trash trucks and other trash haulers for the neighborhood are often unable to make the turn towards Prospect Avenue if there are cars parked at 670 – 671 Prospect. The trucks honk their horns for minutes at a time, and then if the cars are not moved, they back up the entire length of the alley between Prospect and Quincy to be able to get out on 6th Street. While I commend their ability to be able to drive backwards for an entire city block, that cannot be considered safe.

The map attached to the Notice given to homeowners is misleading and confusing

The map attached to the Notice mailed out to homeowners is misleading because it makes it appear that there is only one parcel of land on Quincy affected by the alley closure, and that such home belongs to the Quincy homeowner petitioning for the closure of the alley. In fact, Quincy is subdivided into nine different parcels, the vast majority of which are improved with multiple homes and all of which will be affected by the closure. I have attached a copy of the Los Angeles County Assessor's Map for the area which more accurately shows the number of affected parcels.

I have spoken to several of my neighbors, all of whom have said that they did not understand that what the Notice meant and that they were surprised that the City was planning on closing the alley.

The information provided to the Planning Commission was misleading and vacation is not in conformance with the General Plan

Government Code section 65402 requires the Planning Commission to make a consistency finding with the adopted General Plan. The staff report which was provided to the Planning Commission was inadequate at best.

The staff report states that the Quincy homeowner's site is located in an area set aside for single-family housing. However, the report fails to point out that this neighborhood was previously zoned for multi-family dwellings and is fully developed. Only two of the 14 parcels that will be affected by the alley closure are improved with single family homes. Eleven of the affected parcels, including that of the Quincy homeowner, are improved with duplexes and one

of them is improved with an apartment building containing at least ten units. There is also a second apartment building located at the corner of Prospect and 7th Street, next to the Care Mark facility, which contains more than 20 units.

The staff report also fails to even discuss the traffic patterns and parking problems in the neighborhood. Just as the Land Use Element recognizes the need for neighborhood revitalization and preservation, the Transportation Element (both of which are woefully out of date) recognizes the importance of the quality of life in residential neighborhoods. While the vacation may revitalize the applicant's property and improve her quality of life, for the reasons set forth above the vacation will actually be detrimental to all of the other residents in the area as the quality of life will deteriorate as traffic will worsen and safety concerns will increase.

Closure of the alley will cause more traffic and safety issues, negatively impacting neighborhood stability rather than improving it. Accordingly, closure of the alley is not consistent with the City's General Plan.

The exemption relied on by the City from CEQA requirements is not available

The City's staff report concerning the alley closure found that the vacation of the alley, which is a project, is categorically exempt from California Environmental Quality Act ("CEQA") under 14 Cal. Code of Regs. 15301. The proposed Notice of Exemption states "No change in use." That assertion is not correct as the alley is in constant and daily use and closure of the alley would clearly be a change in use.

Furthermore, this exemption from CEQA is for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, equipment, or topographical features. This exemption does not apply to the closure of an alley which is used by vehicular traffic. There also does not appear to be any other categorical exemptions from CEQA for this project. Since the categorical exemptions do not apply, the City needs to do an initial study for the project and provide a review period for the negative declaration, mitigated negative declaration or EIR that must be prepared. In evaluating the impacts, specific attention should be given to impacts relating to traffic impacts and safety impacts of the alley closure.

The alley was dedicated more than 100 years ago and is even more important today

The alley was dedicated as a street in 1905, more than 100 years ago. It is even more vital for access today because of the dramatically increased density and traffic in the area. It is used every day and every night, more so than when it first became a street.

The nuisance activity and illegal dumping problems can be minimized by less drastic actions

Closing needed public access to multiple residences is not an appropriate solution for a trash problem. While I sympathize with the Quincy homeowner's and Care Mark's concerns about preventing nuisance activity and illegal dumping, these problems have arisen in large part because Care Mark moved the location of their dumpster from a different area on their property to the corner of the alley and Quincy. These problems could be minimized by less drastic means than closing the alley. Specifically Care Mark could move their dumpster back to where it used to be, which is actually the location where Care Mark has proposed to move the dumpster if the alley is closed. The new location in fact would be very near the dumpster for one of the multi-unit apartment buildings that will be affected by the alley closure.

Also, while the proposal also cites vandalism concerns, it may be that such problems will not exist once the Quincy homeowner completes the extensive construction project on her property that has been going on for several years.

Closing the alley in order to benefit one homeowner at the expense of over 30 others is unfair

I sympathize with the Quincy homeowner's desire to obtain a yard, a private driveway, and private parking. I too would like to have a yard, a private driveway and private parking, especially when I return home in the evenings and cannot find parking on Prospect. I too would rather not have people drive past my home through the alley that runs behind my home, or dump items in my trash barrels. However, we knew there was an alley there when we bought our home in 1961, and I knew there was an alley there when I bought the duplex next door years later. We use the alleys daily. Both the Quincy homeowner and Care Mark were also aware of the location and use of the alley when they purchased their properties. Allowing an alley that is used daily and provides access to 14 parcels, more than 30 residences and a second multi-unit apartment building to benefit one homeowner is fundamentally unfair.

The alley is necessary for present and prospective use

As stated at the outset, while the City Council can vacate if it finds that the street is unnecessary for present or prospective use, and the proposed resolution includes findings to this effect saying it is not and will not be needed for public use, this finding cannot be made because the alley provides access not only to the Quincy homeowner's property, but to 14 other lots and more than 30 residences. The alley is currently heavily used multiple times daily, and will continue to be used for access unless it is closed. Although access to 7th Street would still be possible from Prospect Ave, this access is much more difficult to use and less safe, as I described earlier.

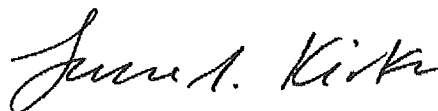
The conclusion concerning the fiscal impact of the closing of the alley is doubtful

I further note that the finding that closing the alley will have a positive impact on jobs is highly doubtful as the only jobs that could be created would be very temporary construction jobs.

For all of the above reasons, I request that the proposed vacation of the alley, the effective closure of the alley, be denied or at the very least that the hearing be continued until at least October 9, 2012 when I can be in attendance.

Thank you for your consideration.

Very truly yours,



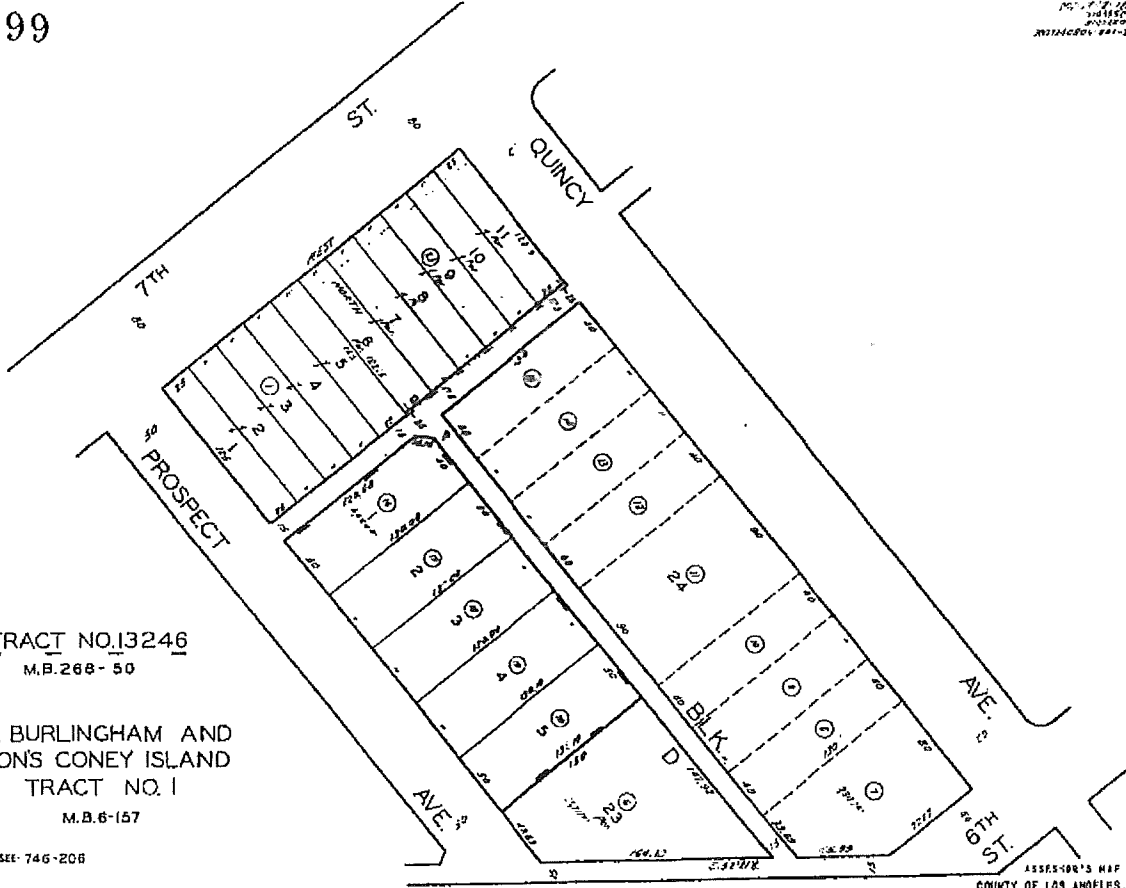
Luce S. Kirka

cc: City Manager
Deputy City Attorney
Director of Public Works
City Engineer

7241 | 16
SCALE 1" = 60'

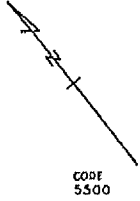
1999

1999
ASSASSOR'S MAP
COUNTY OF LOS ANGELES, CALIF.



TRACT NO. 13246
M.B. 268-50

J. BURLINGHAM AND
SONS CONEY ISLAND
TRACT NO. 1
M.B. 6-157



CODE
5500

FOR PREV. ASSMT. SEE 746-206

ASSESSOR'S MAP
COUNTY OF LOS ANGELES, CALIF.

9-18-12

~~H3~~

district5@longbeach.gov, dlstrict6@ci.long-beach.ca.us, sirsay@gazettes.com,
Julie_Maleki@LongBeach.gov

Date: 09/07/2012 11:29 AM
Subject: Sept. 18th meeting RE: Vacating alley

Good Morning:

I own a 9 unit apartment building at 620 Prospect Ave. at the other end of the alley you sent a notice where you are proposing adoption of a resolution vacating part of the alley at the other end of my block.

I strongly **OPPOSE** to this for at least the following reasons:

1) This benefits only two of the owners (adjacent to the proposed portion of the alley), but leaves the rest of us owners (and many more tenants in the properties) at a huge disadvantage and inconvenience. It simply is not fair!

2) I've heard one reason for this consideration is due to "*illegal dumping*" of trash, sofa's etc. in Care Mark's dumpster. **GET OVER IT !!!** I've owned apt. bldgs. all over Long Beach for over 34 years! This happens in every single alley in Long Beach and is part of life; I can't count the times this has occurred to me over the years; including at my building at the other end of the alley (for I have a large dumpster area there too)!!! If the City trash collectors would consider this part of their job and take the large items it would be nice.

3) Again, regarding illegal dumping. Care Mark can secure there dumpster area behind a locked gate and/or lock their dumpster's. (But then it just may move to my bldg.), in any case abandoning and alley for their trash benefit if absurd.

4) It is unsafe, inconvenient, makes no sense, not necessary and ridiculous to even consider! Time and money would be better spent on building a retaining wall against the P E Right-of-Way to prevent mud run-off and 4-wheelers driving up there to spin their tires! The broken sand bags just don't do it!

There is no conceivable or reasonable explanation to abandon this portion of the alley. I ask you deny the approval of the City vacating this portion of the alley.

If this passes, please tell me how to start the process to do the same to my end of the same alley, my tenants would love the additional parking and I too would then not have to deal with the sofa's etc. that are set next to my dumpster.

Thank you for your sincere consideration,

Mark Kachigan
P.O. Box 3737
Long Beach, CA 90803-0737
Cell (562) 225-4848

9-18-12 H-3

7241 | 16 | 1999

SCALE 1" = 60'

990125016001-20
710162100000-00
300000000000-00
300000000000-27

- Property owner who opposed to the vacation
- Property owner who has expressed support for the vacation
- Area being proposed to be vacated




TRACT NO. 13246
M.B. 268-50

J. BURLINGHAM AND
SONS CONEY ISLAND
TRACT NO. 1
M.B. 6-157

CODE
5500

FOR PREV. ASSM'T. SEE: 746-206

ASSESSOR'S MAP
COUNTY OF LOS ANGELES, CALIF.

Re: Proposed vacation of the east half of the east-west alley in the block south of 7th St and west of Quincy Avenue 

Steve Bateman to: Gillis Monroe

09/14/2011 06:57 AM

Cc: Amir Kasmai, Anne Cramer, Arthur Cox, Bill Pittman, Carlos Velasquez, Dave.Roseman, David Marander, David Zinnen, Derek Burnham, Donald Hansford, Sue Castillo, Ira Brown, Jill Griffiths, Jyl Marden, Lawrence Jackson, Mark Christoffels, Michael Conway, Robert Verceles, Sherbert Jones, Truong Huynh

Mr. Monroe

The Gas & Oil Department does not operate any facilities within the proposed vacation area and has no future plans for that area. Gas & Oil has no objections or requirements.

Thanks

Steve Bateman
Long Beach Gas & Oil Dept.
2400 E. Spring St.
Long Beach, CA 90806
562-570-2034

Sue Castillo

The owners of the residential property at 669 Qu...

09/07/2011 11:08:40 AM

From: Sue Castillo/PW/CLB
To: Michael Conway/PW/CLB@CLB, Mark Christoffels/PW/CLB@CLB, Gillis Monroe/PW/CLB@CLB, Dave.Roseman@longbeach.gov, Amir Kasmai/PW/CLB@CLB, Lawrence Jackson/PW/CLB@CLB, Arthur Cox/PW/CLB@CLB, Carlos Velasquez/PW/CLB@CLB, Donald Hansford/PW/CLB@CLB, Anne Cramer/LD/CLB@CLB, Jyl Marden/CM/CLB@CLB, Truong Huynh/DV/CLB@CLB, Derek Burnham/DV/CLB@CLB, Jill Griffiths/DV/CLB@CLB, Ira Brown/DV/CLB@CLB, David Zinnen/FR/CLB@CLB, David Marander/PD/CLB@CLB, Steve Bateman/GO/CLB@CLB, Robert Verceles/WA/CLB@CLB
Cc: Sherbert Jones/PW/CLB@CLB, Bill Pittman/PW/CLB@CLB
Date: 09/07/2011 11:08 AM
Subject: Proposed vacation of the east half of the east-west alley in the block south of 7th St and west of Quincy Avenue


The owners of the residential property at 669 Quincy Avenue request the vacation of the alley portion adjacent to their property as shown on the attached exhibit. The owner of the commercial property on the north side of the alley, 4540 Seventh Street, submitted a letter of support for this action. Elimination of this alley branch would entail relocating a refuse enclosure at the southeast corner of the 4540 Seventh Street property.

This vacation would provide for the expansion of the building at 669 Quincy Avenue (currently under construction). The vacation petitioners also hope that closing this alley will reduce nuisance activities within the alleys of this block.

Please inform the Construction Services Division of any objections to or requirements for this vacation by September 21, 2011.

Sue Castillo
City of Long Beach Department of Public Works
Construction Services
562-570-6996



Re: Fw: Proposed vacation of the east half of the east-west alley in the block south of 7th St and west of Quincy Avenue 

Winnie Lee to: Sue Castillo

09/09/2011 09:08 AM

Cc: "Dennis Santos", Robert Verceles

Sue,

Thank you for notifying our department the proposed vacation of the alley portion adjacent to 669 Quincy Ave. There are no LBWD facilities located within the project area, therefore, we have no opposition to this alley vacation proposal.

Please let us know if you have any questions.

Thank you.

Water Dept

Winnie Lee, P.E., M.B.A.

Civil Engineer | Long Beach Water Department

:: 1800 E. Wardlow Road, Long Beach, CA 90807, USA

:: t (562) 570-2382 | f (562) 570-2378

:: winnie.lee@lbwater.org | www.lbwater.org

Robert Verceles

Please handle. --- Original Message ---

09/07/2011 03:15:07 PM

From: Robert Verceles/WA/CLB
To: "Winnie Lee" <winnie.lee@lbwater.org>
Cc: "Dennis Santos" <dennis.santos@lbwater.org>
Date: 09/07/2011 03:15 PM
Subject: Fw: Proposed vacation of the east half of the east-west alley in the block south of 7th St and west of Quincy Avenue

Please handle.
Sue Castillo

--- Original Message ---

From: Sue Castillo

Sent: 09/07/2011 11:08 AM PDT

To: Michael Conway; Mark Christoffels; Gillis Monroe; Dave.Roseman@longbeach.gov; Amir Kasmai; Lawrence Jackson; Arthur Cox; Carlos Velasquez; Donald Hansford; Anne Cramer; Jyl Marden; Truong Huynh; Derek Burnham; Jill Griffiths; Ira Brown; David Zinnen; David Marander; Steve Bateman; Robert Verceles

Cc: Sherbert Jones; Bill Pittman

Subject: Proposed vacation of the east half of the east-west alley in the block south of 7th St and west of Quincy Avenue

The owners of the residential property at 669 Quincy Avenue request the vacation of the alley portion adjacent to their property as shown on the attached exhibit. The owner of the commercial property on the north side of the alley, 4540 Seventh Street, submitted a letter of support for this action. Elimination of this alley branch would entail relocating a refuse enclosure at the southeast corner of the 4540 Seventh Street property.

This vacation would provide for the expansion of the building at 669 Quincy Avenue (currently under construction). The vacation petitioners also hope that closing this alley will reduce nuisance activities within the alleys of this block.



7th Street and Quincy Ave. - Alley Vacation Sketch

Donald Hansford to: Jim Kuhl

01/26/2012 10:40 AM

Cc: Diko Melkonian, Carlos Velasquez, Frank Ramirez, Sherbert Jones

History: This message has been replied to.

I met with Mr. Sherbert Jones today, regarding the proposed Alley vacation at Quincy and 7th - next to 669 Quincy. I informed him that the vacation of this portion of the alley will not effect our ability to collect Refuse here as long as the following conditions were met.

Both owners must provide space / enclosure, near or at the junction of both alleys for their trash containers - that allow us to continue to collect them in the alley. The 7th Street property, 4540 E. 7th. has 2 - 2 yard bins in two separate enclosures, rear of their property. They will need to provide an enclosure, large enough for both bins where the two alleys meet. In the past, the residential property, 669 Quincy trash, was collected in the E/W alley. Since that would no longer be available, they must provide access for their trash to be set out in the N/S alley, which shouldn't be a problem since they currently has a gate that opens into the N/S alley.



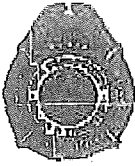
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Sherbert Jones
Assistant Administrative Analyst
Department of Public Works
Telephone: (562) 570-6975
Fax: (562) 570-5176
Electronic Mail: sherbert.jones@longbeach.gov
Donald Hansford
Waste Operations Supervisor



Environmental Services Bureau
Department of Public Works
2929 E. Willow Street, Long Beach, 90806
Office: (562) 570-2887

My e-mail address has changed. Please use: Donald.Hansford@longbeach.gov



Re: Fw: Proposed vacation of the east half of the east-west alley in the block south of 7th St and west of Quincy Avenue 

Brian Weidman to: Sue Castillo

09/28/2011 03:57 PM

Cc: medillon

History: This message has been replied to.

Sue,

I just spoke with Mr. Dillon. If the Planning Bureau is going to require both front doors and addresses be visible and accessible from Quincy Ave., then Fire has no issues.

Thank you

Brian Weidman
Plan Checker, Fire Prevention Bureau
Long Beach Fire Department
3205 Lakewood Blvd.
Long Beach CA 90808
(562) 570-2568 - phone
(562) 570-2566 - fax

Sue Castillo

Brian, My understanding is that the Planning Bur...

09/23/2011 03:10:54 PM

From: Sue Castillo/PW/CLB
To: Brian Weidman/FR/CLB@CLB
Cc: medillon@dillon-consulting.com
Date: 09/23/2011 03:10 PM
Subject: Fw: Proposed vacation of the east half of the east-west alley in the block south of 7th St and west of Quincy Avenue

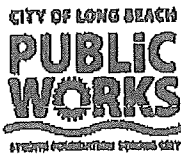
Brian, My understanding is that the Planning Bureau will require both front doors (and addresses) to be visible and accessible from Quincy Avenue. The trash enclosure at the east end of the alley will be eliminated (converted to parking lot), and the unused trash enclosure further west (at the junction of the north-south and east-west alleys will be active (used) again. I encourage you to talk to Mike Dillon, the property owner/vacation petitioner (copied) to resolve any issues remaining from a Fire Prevention perspective. You can reach him at the email address copied, or 562-225-8648.

Sue Castillo
City of Long Beach Department of Public Works
Construction Services
562-570-6996

----- Forwarded by Sue Castillo/PW/CLB on 09/23/2011 03:00 PM -----

From: Brian Weidman/FR/CLB
To: Sue Castillo/PW/CLB@CLB
Cc: David Zinnan/FR/CLB@CLB
Date: 09/09/2011 01:04 PM
Subject: Proposed vacation of the east half of the east-west alley in the block south of 7th St and west of Quincy Avenue

Sue,



Fw: Proposed vacation of the east half of the east-west alley in the block south of 7th St and west of Quincy Avenue
Sue Castillo to: Brian Weidman
Cc: medillon

09/23/2011 03:10 PM

Brian, My understanding is that the Planning Bureau will require both front doors (and addresses) to be visible and accessible from Quincy Avenue. The trash enclosure at the east end of the alley will be eliminated (converted to parking lot), and the unused trash enclosure further west (at the junction of the north-south and east-west alleys will be active (used) again. I encourage you to talk to Mike Dillan, the property owner/vacation petitioner (copied) to resolve any issues remaining from a Fire Prevention perspective. You can reach him at the email address copied, or 562-225-8648.

Sue Castillo
City of Long Beach Department of Public Works
Construction Services
562-570-6996

----- Forwarded by Sue Castillo/PW/CLB on 09/23/2011 03:00 PM -----

From: Brian Weidman/FR/CLB
To: Sue Castillo/PW/CLB@CLB
Cc: David Zinner/FR/CLB@CLB
Date: 09/09/2011 01:04 PM
Subject: Proposed vacation of the east half of the east-west alley in the block south of 7th St and west of Quincy Avenue

Sue,

Fire has two recommendations in regards to this alley vacation:

1. Provide foot access for firefighters in this proposed alley vacation area. There is a residence, 671 Quincy Ave., to the rear of 669 Quincy Ave. Their front door is accessed off of the current alley.
2. The relocation of the existing trash enclosure cannot be placed any closer than five (5) feet from any structures walls/eaves.

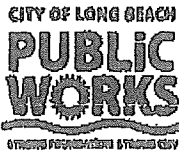
Please let me know if you need any clarification to the information above.

Thank you

Brian Weidman
Plan Checker, Fire Prevention Bureau
Long Beach Fire Department
3205 Lakewood Blvd.
Long Beach CA 90808
(562) 570-2568 - phone
(562) 570-2566 - fax



Sk No 1002V t.pdf



Proposed vacation of an alley branch East of Prospect and South of 7th Street

Sue Castillo to: Mark Christoffels

08/23/2011 05:32 PM

Cc: Sherbert Jones, Bill Pittman, Gillis Monroe

The owners at 669 Quincy want to vacate an alley branch adjacent to their duplex property (see attached map). They are in the process of remodeling and expanding the property and want to build over the south half of the alley. I've confirmed that there are no substructures in the alley (there are aerial utility lines at the north edge of the alley). The other adjoining property owner, 4540 7th St, supports the vacation in writing, indicating that they will sell their half to the south property owners.

The problem is this (the applicant was informed):

The east branch that they want to vacate is wider than the west half (17.5 ft vs. 15' - GIS map is incorrect). Also, Quincy to the west is wider than Prospect to the east. However, there is a 9' setback behind the apartment building at 4500, so the west alley branch looks wider than the east. If the other property owners on the block prefer to exit to Quincy instead of Prospect, they may oppose the vacation and cause it to fail.

The 669 Quincy owners would like to proceed anyway and provided a \$7,080.00 preliminary processing fee check (first people not to ask for a waiver in a long time). Should I deposit the check and move forward?

Sue Castillo
City of Long Beach Department of Public Works
Construction Services
562-570-6996



Alley Quincy 7th map.pdf

Visited site 8/15/17

- Quincy views the Prospect
- neighbors may effectively oppose the request
- alley to be vacated is narrower than the alley branch retained. However, it is principally wider due to 9' setback of garage.
- detracts 2.5' to n/s alley.
- relocate trash ~~can~~ enclosure
- reduce Edison/acorn covers to north 10' of alley
- building proposed to extend to alley $\frac{1}{2}$.
(gains 7.5', not 10')
- applicant to send check and proposed building plan

KNOWLETON[®]

C O M M U N I T I E S

205 Savona Walk
Long Beach, California 90803
Office 562-439-0281
Fax 562-439-3092

July 28, 2011

City of Long Beach
Department of Public Works
Attn: Sue Castillo, Right-of-Way Coordinator
333 West Ocean Boulevard, 10th Floor
Long Beach, California 90802

Subject: Vacation of Alley West of Quincy Avenue just south of 7th Street

Dear Ms. Castillo:

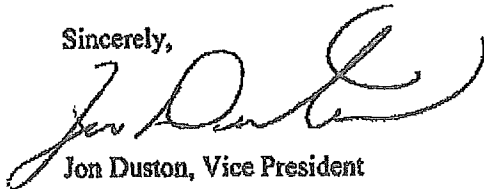
We are the owners of the office building located at 4540 E. 7th Street (APN No. 7241-016-025), which is currently occupied by our tenant CareMore. This letter shall serve as our authorization for the processing of the vacation of the alley ("see attached exhibit") adjacent to our property along the southern property boundary.

We are in support of the application that is being processed by Diane Copeland, and we encourage the City to approve the vacation of said alley. The area of vacation would still allow for an adequate refuse area for our office building, and will not inhibit the current ingress and egress from our parking lot.

This section of alley is constantly incurring graffiti, homeless encampments, and the dumping of refuse. We believe that putting this area of alley under private ownership would reduce these problems, which would be beneficial to both the City of Long Beach and the adjacent property owners.

If you have any questions or require any additional information, please do not hesitate to contact me at (562) 439-0281 ext. 202.

Sincerely,



Jon Duston, Vice President

Encl: Vacation Exhibit