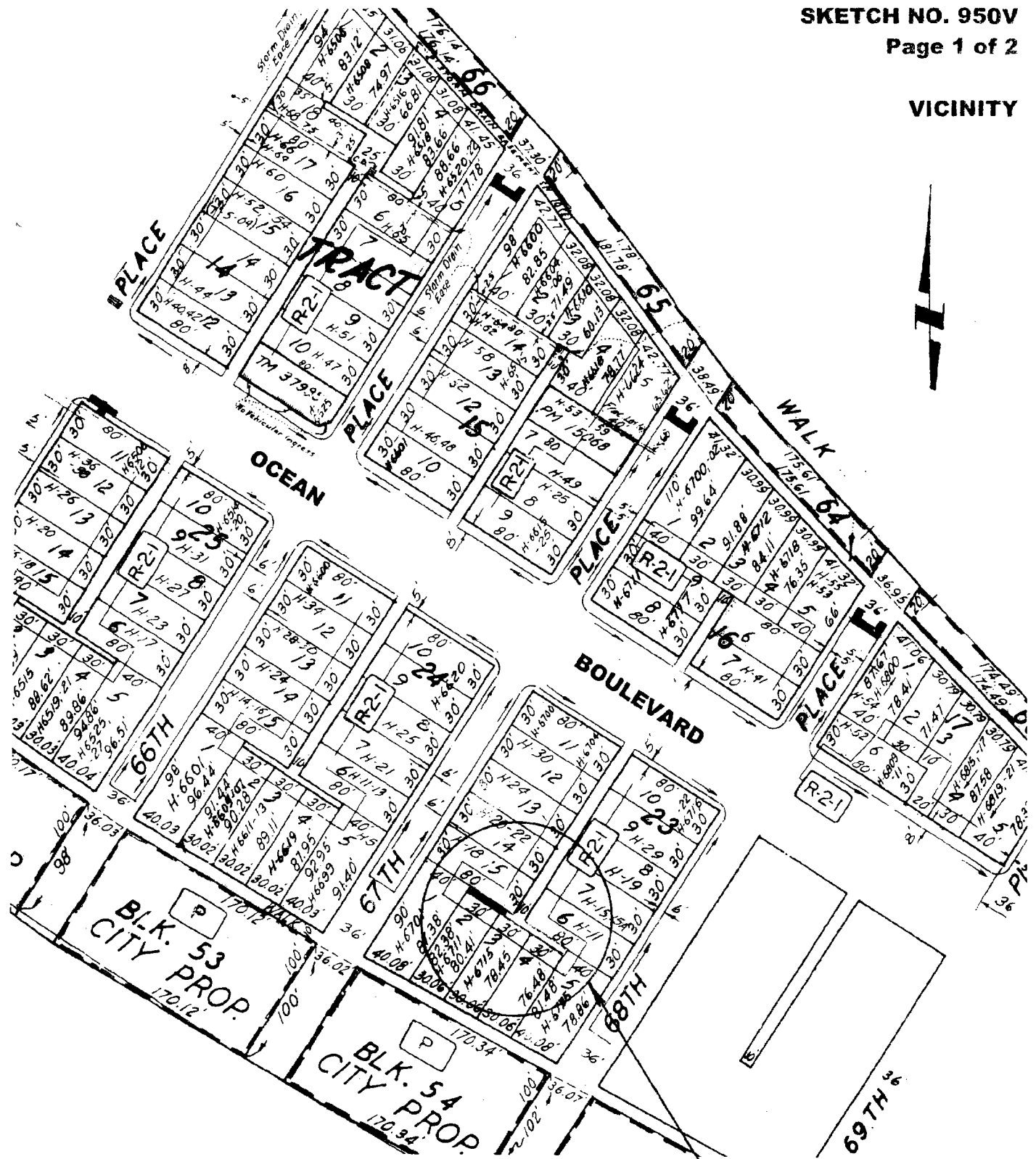
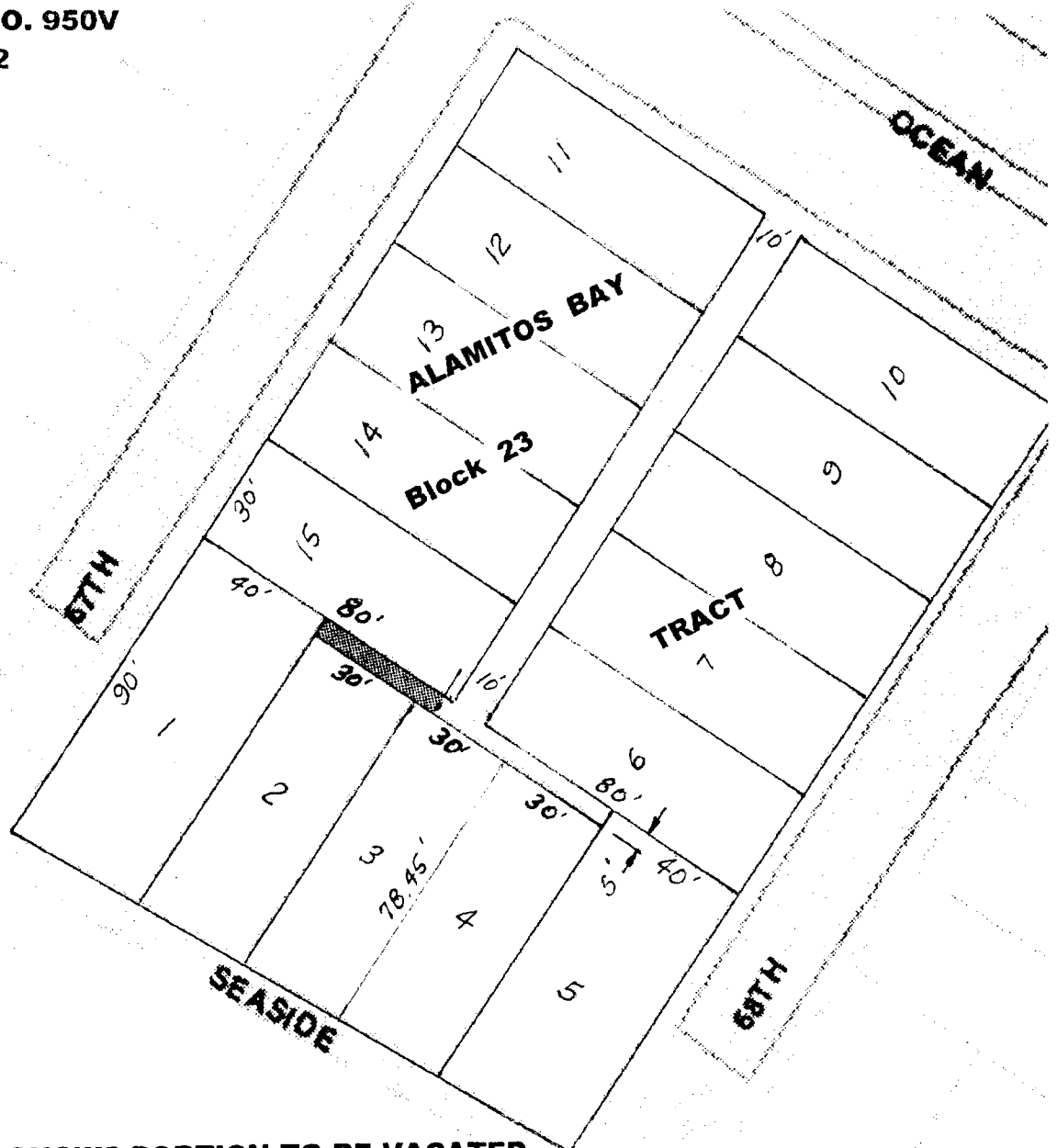


VICINITY

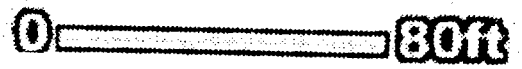


FIVE-FOOT WIDE ALLEY EAST OF 67TH PLACE  
AND SOUTH OF OCEAN BOULEVARD  
PROPOSED TO BE VACATED BY THE CITY OF LONG BEACH

DETAIL



 SHOWS PORTION TO BE VACATED  
5 FT x 40 FT





# CITY OF LONG BEACH

## DEPARTMENT OF PUBLIC WORKS

333 West Ocean Boulevard • Long Beach, CA 90802 • (562) 570-6383 • FAX (562) 570-6012

September 14, 2004

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

**SUBJECT:** Resolution of Intention to Vacate a Portion of the Five-Foot Wide Alley East of Sixty-Seventh Place and South of Ocean Boulevard (District 3)

### DISCUSSION

The four homeowners adjacent to the west half of the five-foot wide alley east of Sixty-Seventh Place and south of Ocean Boulevard request that the City vacate this public right-of-way, as shown on Exhibit A. This right-of-way dead-ends in private property and provides no access useful to the public. It is not needed for refuse collection or any other access purpose. The addresses of the four adjoining properties are 6701 East Seaside Walk, 6711 East Seaside Walk, 6811 East Ocean Blvd (previously 6717 East Seaside Walk), and 18 Sixty-Seventh Place.

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. Ownership and land development of the four properties adjacent to the subject alley portion is shown on the attached Exhibit B.
2. On April 1, 2004, a Local Coastal Development Permit was approved for the subject alley vacation, as case number 0402-28.
3. On February 19, 2004, the City of Long Beach 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 62-04 was issued for this project. The Planning Department staff report is included as Exhibit C.

**ADMINISTRATION,  
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**AIRPORT**  
4100 Donald Douglas Dr.  
Long Beach, CA 90808  
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**ENGINEERING & STREET  
MAINTENANCE**  
333 W. Ocean  
Long Beach  
Ph. (562)  
Fax (562)

**ENVIRONMENTAL  
SERVICES**  
w Street  
A 90806  
Ph. (562) 570-5400  
D-2850  
70-2861

**FLEET SERVICES**  
2600 Temple Avenue  
Long Beach, CA 90806  
Ph. (562) 570-5400  
Fax (562) 570-5414

**TRAFFIC &  
TRANSPORTATION**  
333 W. Ocean Blvd., 10<sup>th</sup> Floor  
Long Beach, CA 90802  
Ph. (562) 570-6331  
Fax (562) 570-7161

HONORABLE MAYOR AND CITY COUNCIL  
September 14, 2004  
Page 2

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 D.

The proposed resolution of intention to vacate was prepared by Deputy City Attorney Lisa Peskay Malmsten on August 12, 2004. The City of Long Beach does not guarantee reversionary rights over the vacated right-of-way.

TIMING CONSIDERATIONS

City Council action on this matter is not time critical.


FISCAL IMPACT

A vacation processing fee of \$1,000 was deposited to the General Fund (GP) in the Department of Public Works (PW).

**IT IS RECOMMENDED THAT THE CITY COUNCIL:**

Adopt the attached resolution of intention to vacate as shown on Exhibit A and set a public hearing for the subject vacation on October 12, 2004, in the City Council chambers, to allow all persons interested in or objecting to the proposed vacation to appear and be heard.

Respectfully submitted,

  
CHRISTINE F. ANDERSEN  
DIRECTOR OF PUBLIC WORKS

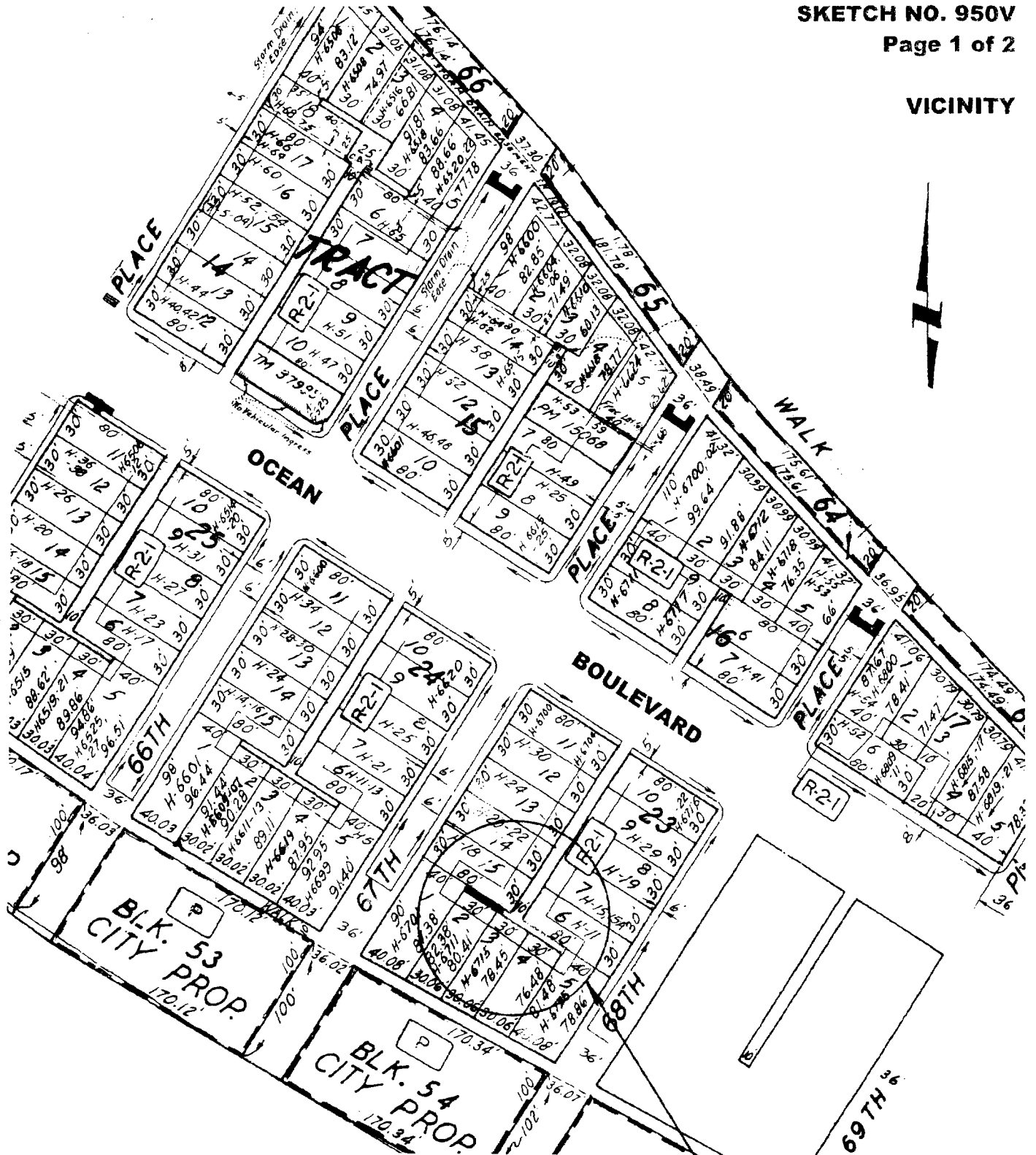
Attachments

GMM:SCp (RW 18 67th Place Vac CL1)

APPROVED:

  
GERALD R. MILLER  
CITY MANAGER

VICINITY



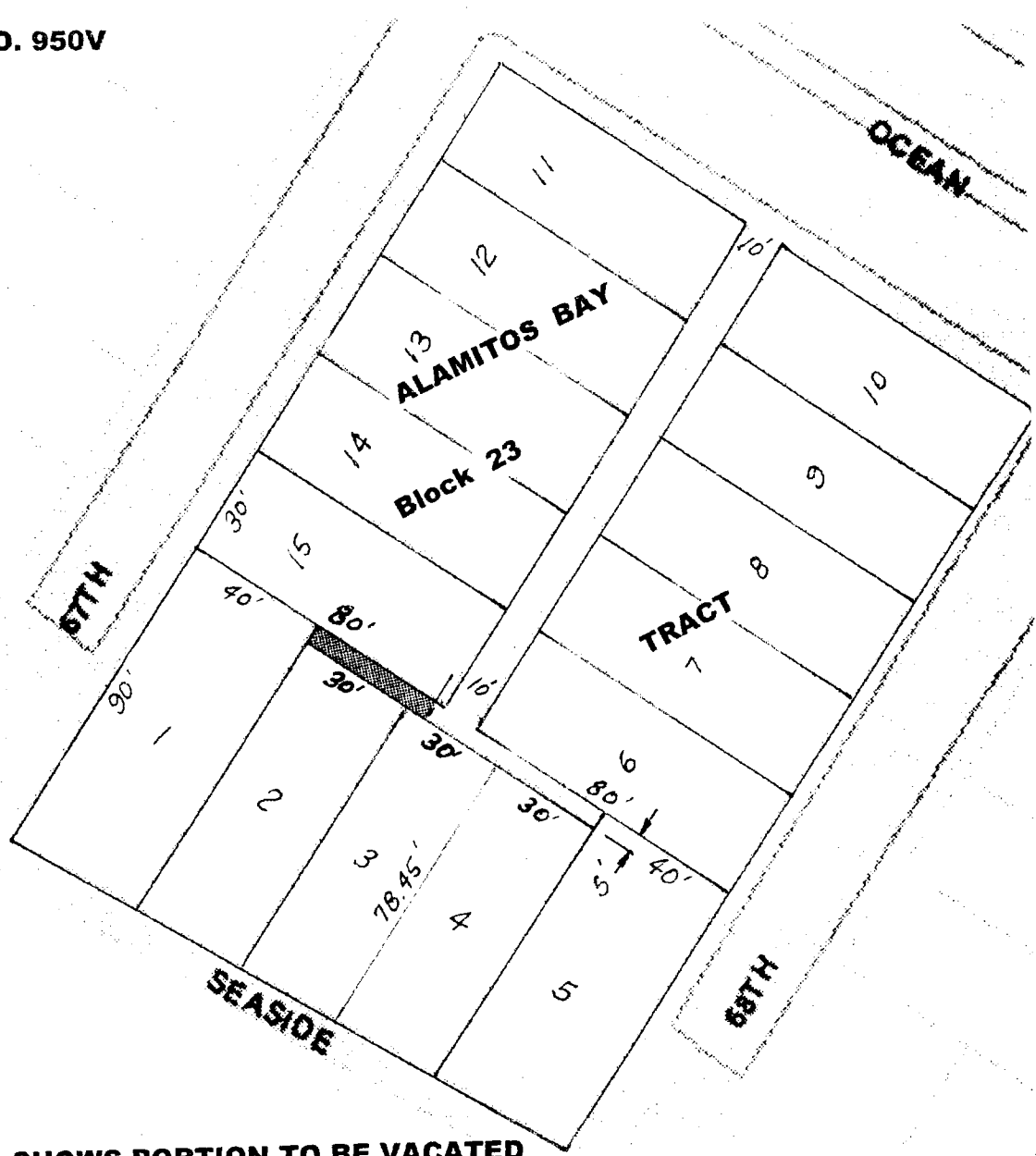
FIVE-FOOT WIDE ALLEY EAST OF 67TH PLACE  
AND SOUTH OF OCEAN BOULEVARD  
PROPOSED TO BE VACATED BY THE CITY OF LONG BEACH


Exhibit B

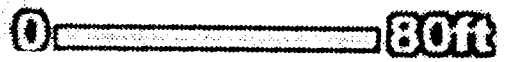
Page 3 of 9

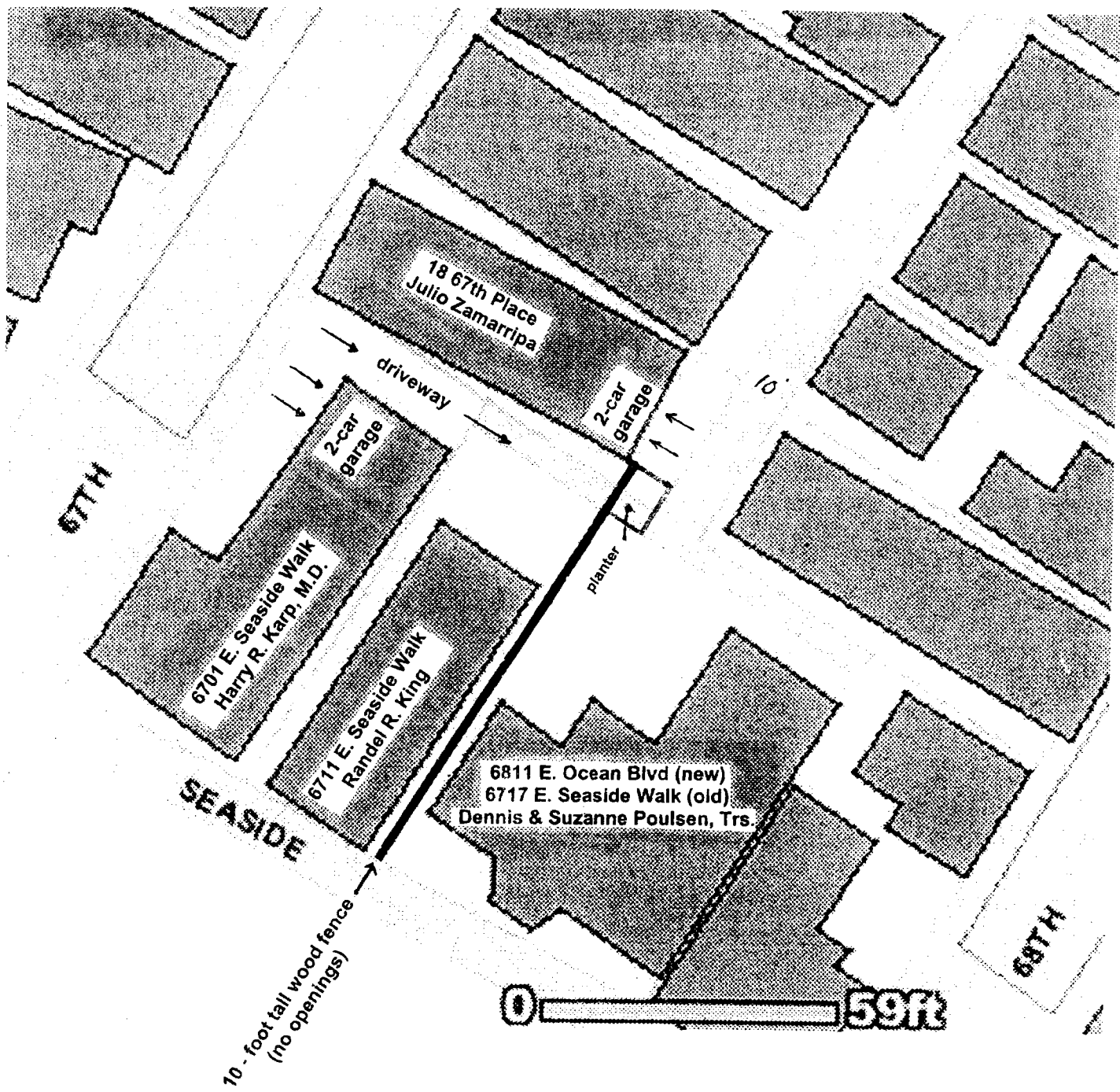
(Original Exhibit A, Page 1 of 2)

DETAIL



 SHOWS PORTION TO BE VACATED  
5 FT x 40 FT





**Exhibit B**  
 Page 5 of 9  
 (Original Exhibit B)



# CITY OF LONG BEACH

DEPARTMENT OF PLANNING AND BUILDING

333 West Ocean Boulevard • Long Beach, CA 90602 • (562) 570-6357 FAX (562) 570-6068

## ADVANCE PLANNING

February 19, 2004

## CHAIR AND PLANNING COMMISSIONERS

City of Long Beach  
CaliforniaSUBJECT: Finding of Conformity with the *General Plan* for an Alley Vacation  
(Council District 3)LOCATION: Alley East of 67<sup>th</sup> Place and South of Ocean BoulevardAPPLICANT: Randel R. King  
6711 East Seaside Walk**RECOMMENDATION**

Find the proposed alley vacation, as depicted in Exhibit A, in conformance with the *General Plan*.

**BACKGROUND**

Pursuant to California Government Code Section 65402, no street, parcel or alley may be vacated until such action has been submitted to, and reported upon by, the Planning Commission as to its conformity with the adopted *General Plan*. The proposed alley vacation is herein submitted for such review. The applicant wishes to build a fence on the south side of his property line. This alley vacation will allow the applicant to maintain the code required turning radius into this garage.

A finding of consistency shall be made when the proposed re-use of the property conforms to the maps and policies of the *General Plan*. The *General Plan* consists of eleven elements: Land Use, Open Space, Transportation, Noise, Scenic Routes, Conservation, Local Coastal Program, Housing, Air Quality, Public Safety, and Seismic Safety. Each element of the *General Plan* carries the same authority concerning land use issues. All elements of the *General Plan* were considered and staff finds this vacation in conformance

**Exhibit B**

Page 6 of 9

(Original Exhibit C, Page 1 of 3)



with all the elements of the *General Plan*. A review of the relevant elements and specific *General Plan* consistency findings are presented below:

**GENERAL PLAN CONSISTENCY FINDINGS**

**Land Use Element**

The Land Use Element divides the City into 21 land use districts, which provide general guidance as to the type and density of land uses considered appropriate. The alley in question is located in Land Use District (LUD) 2, Mixed Style Homes. This district recognizes that there are large areas of the City with a mixture of low density housing types, duplexes, triplexes, etc. usually mixed together on the same block. The intent of LUD 2 is not to attempt to convert the areas to a single-family density, or to permit the areas to advance in density to that of the densest housing prevalent in the district. The proposed vacation will not result in the change of the density or use of the existing building.

**Transportation Element**

A key goal of the Transportation Element is to establish a transportation system, which can provide sufficient mobility for people and goods throughout the city while accommodating reasonable, balanced growth. This alley vacation will not degrade circulation along the Peninsula. The alley is not referenced in the Transportation Element and the proposed vacation does not contradict any policies or objectives in the *General Plan*.

**ENVIRONMENTAL REVIEW**


In accordance with the guidelines for implementing the California Environmental Quality Act (CEQA), categorical exemption 62-04 was issued.

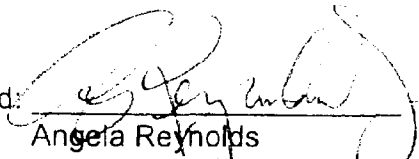
**IT IS RECOMMENDED THAT THE PLANNING COMMISSION**

Find the proposed alley vacation, as depicted in Exhibit A, in conformance with the *General Plan*.

Respectfully submitted,

FADY MATTAR  
ACTING DIRECTOR OF PLANNING AND BUILDING

By:   
Ira Brown  
Planner

Approved:   
Angela Reynolds  
Advance Planning Officer

Covenant\_Presby.doc  
FM:AR:IB

Attachment:

1. Exhibit A: Sketches depicting public right-of-way vacation and dedication

## CONDITIONS OF APPROVAL

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### SKETCH NO. 950V

The proposal was reviewed by the interested city departments and public agencies, and there were no objections, provided that the following conditions of approval are included:

1. An easement shall be reserved for any existing utilities, which are known to include sewer and gas lines. No structures may be constructed or installed over the easement area.
2. The vacation petitioner shall resolve any storm water drainage problems resulting from the vacation to the satisfaction of the Director of Public Works.

The above conditions are flexible in that they may be adjusted in consideration of changing conditions or of new evidence which occurs or becomes available prior to the adoption of the resolution vacating by the City Council.

GMM:SC

1 RESOLUTION NO. C-

2  
3 A RESOLUTION ORDERING THE VACATION OF THE  
4 FIVE-FOOT WIDE ALLEY EAST OF SIXTY-SEVENTH  
5 PLACE AND SOUTH OF OCEAN BOULEVARD IN THE CITY  
6 OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF  
7 CALIFORNIA

8  
9 WHEREAS, the City Council of the City of Long Beach, did heretofore, on the  
10 \_\_\_\_\_ day of \_\_\_\_\_, 2004 by Resolution No. C-\_\_\_\_\_, declare its intention  
11 to order the vacation, pursuant to the provisions of the Public Streets, Highways, and  
12 Service Easements Law, the five-foot wide alley east of Sixty-Seventh Place and south of  
13 Ocean Boulevard in the City of Long Beach, County of Los Angeles, State of California,  
14 described more particularly as follows:

15 That portion of the 5-foot wide alley shown on Block 23 of The  
16 Alamitos Bay Tract in the City of Long Beach, County of Los  
17 Angeles, State of California, as shown on the map of said  
18 Tract filed in Book 5, Pages 137 and 138 of Maps in the Office  
19 of the County Recorder of said county; bounded on the east by  
20 the southerly prolongation of a line 5.00 feet westerly of,  
21 measured at right angles and parallel with, the easterly line of  
22 Lot 15 of said block and tract.

23 Reserving unto the City of Long Beach, its successors and  
24 assigns, over the entire area vacated herein, a perpetual  
25 easement and right-of-way, at any time or from time to time, to  
26 lay, construct, maintain, operate, repair, renew, replace,  
27 change the size of and remove the existing utility lines,  
28 including, but not limited to, sanitary sewers and appurtenant  
structures, together with all necessary gates, valves, fittings,  
hydrants and appurtenances for the transportation of natural  
gas, with the right of ingress to and egress from the same,  
over, through, under, along and across that certain property  
vacated herewith; and pursuant to any existing franchises or  
renewals thereof, or otherwise, to construct, maintain, operate,  
replace, remove, renew and enlarge lines of conduits, cables,  
wires, poles and other convenient structures, equipment and  
fixtures for the operation of telephone lines and other  
communication lines, and for the transportation or distribution  
of electric energy, and incidental purposes including access  
and the right to keep the property free from inflammable  
materials, and wood growth, and otherwise protect the same

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from all hazards in, upon and over the part vacated. Access for maintenance of the above-mentioned facilities must be maintained at all times. No improvements shall be constructed within the easement which would impede the operation, maintenance or repair of said facilities. Construction of any improvements, including changes of grade, shall be subject to the prior written approval of all the City departments and public utilities responsible for the above said facilities.

WHEREAS, the City Council did, at said time, fix Tuesday, the \_\_\_\_ day of \_\_\_\_\_, 2004 at the hour of \_\_\_\_\_.m., as the time at the City Council Chamber, Plaza Level of the City Hall, 333 West Ocean Boulevard, in the City of Long Beach, California, as the place for hearing for all persons interested in or objecting to the proposed vacation to appear and be heard; and

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

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

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

Section 1. Pursuant to the foregoing resolution of intention, the proceedings had thereunder, the "SKETCH SHOWING FIVE-FOOT WIDE ALLEY EAST OF SIXTY-SEVENTH PLACE AND SOUTH OF OCEAN BOULEVARD TO BE VACATED BY THE CITY OF LONG BEACH" attached hereto as Exhibit "A", and the City Council Findings attached hereto as Exhibit "B", said City Council of the City of Long Beach hereby makes its resolution vacating and closing a portion of the drive hereinabove described.

Sec. 2. That this resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk is hereby instructed to certify to the adoption thereof, and to cause a certified copy to be recorded in the Office of the County 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 \_\_\_\_\_, 2004 by the following votes:

Ayes: Councilmembers: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Noes: Councilmembers: \_\_\_\_\_  
\_\_\_\_\_

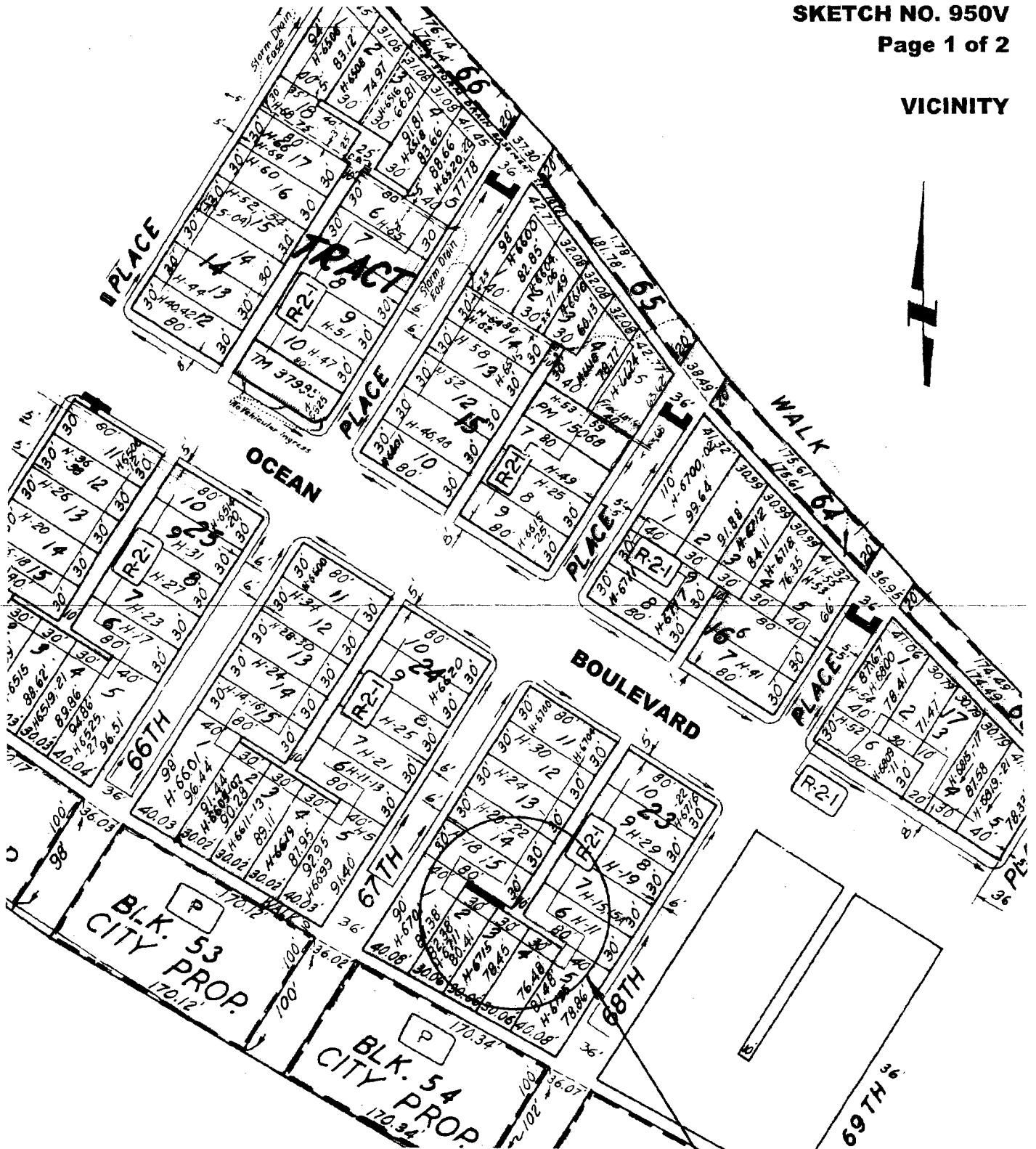
Absent: Councilmembers: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
City Clerk

Robert E. Shannon  
City Attorney of Long Beach  
333 West Ocean Boulevard  
Long Beach, California 90802-4664  
Telephone (562) 570-2200

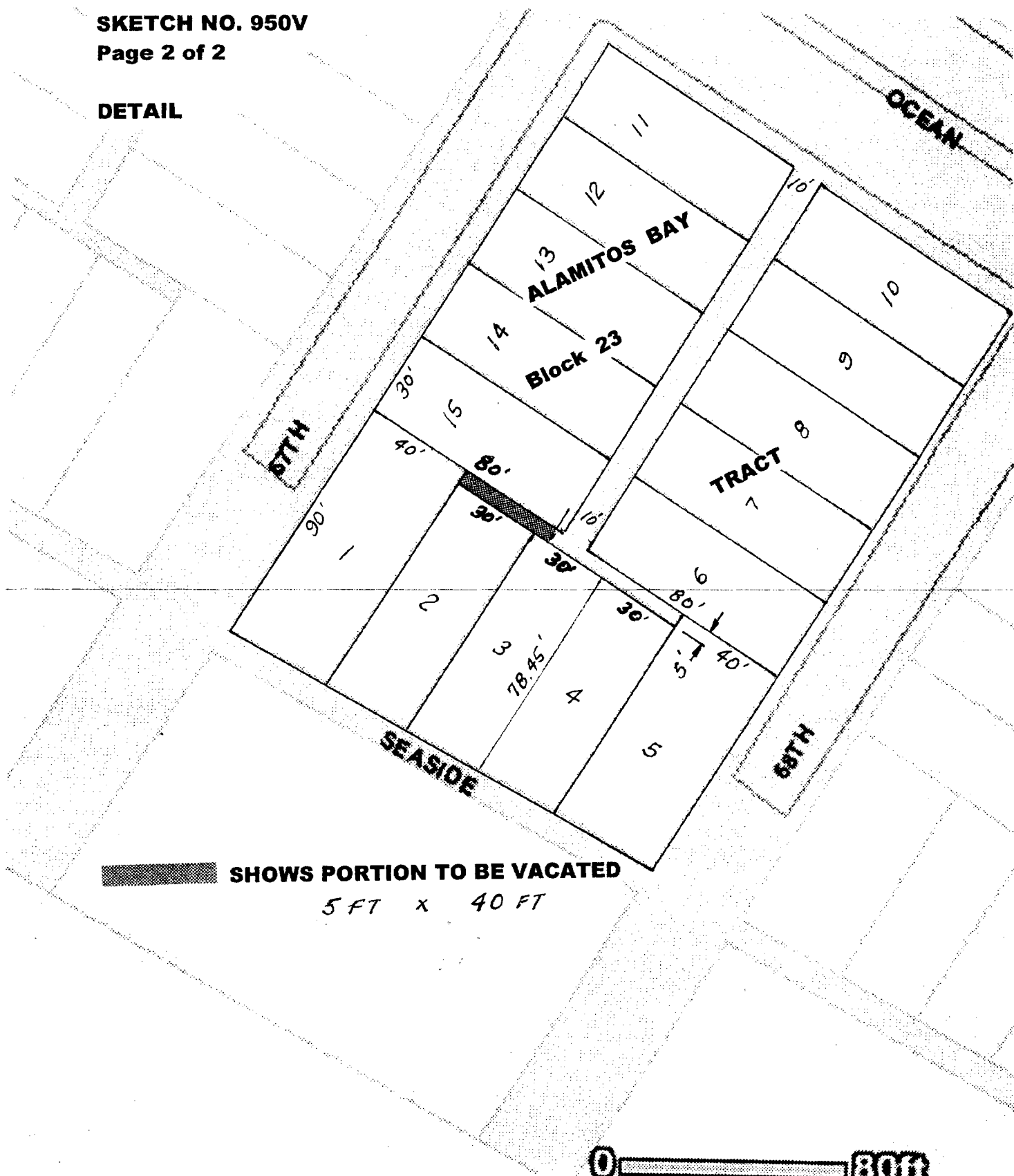
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VICINITY



FIVE-FOOT WIDE ALLEY EAST OF 67TH PLACE  
AND SOUTH OF OCEAN BOULEVARD  
PROPOSED TO BE VACATED BY THE CITY OF LONG BEACH

DETAIL



**SHOVS PORTION TO BE VACATED**  
5 FT x 40 FT

0 **80ft**



## **CITY COUNCIL FINDINGS**

### **VACATION OF A PORTION OF THE FIVE FOOT WIDE ALLEY EAST OF SIXTY-SEVENTH PLACE AND SOUTH OF OCEAN BOULEVARD**

---

1. The subject rights-of-way are unnecessary for present or prospective public use.

This finding is based upon the following subfindings:

- a) Those findings stated in the City Manager's letter submitted for the September 14, 2004, City Council meeting regarding the resolution of intention to vacate the subject right-of-way, adopted as C- 28453.
  - b) The rights-of-way would not be useful for exclusive bikeway 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 are not and will not be needed for public use.
- c) In conformance with the California Environmental Quality Act, Categorical Exemption No. 62-04 was issued for this project.

GMM:SC/C