



CITY OF LONG BEACH

DEPARTMENT OF PUBLIC WORKS

RES-28

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

May 11, 2004

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

SUBJECT: Resolution of Intention to Vacate the Easterly Fourteen Feet of Pine Avenue
Adjacent to 100 E. Ocean Boulevard (District 2)

DISCUSSION

The owner of the property at the southeast corner of Ocean Boulevard and Pine Avenue (the old Jergins Trust Building site) is preparing to develop that vacant lot with a 23-story condominium building containing 155 residential units, 7500 square feet of ground level retail space and a 10,500-square foot spa. Several years ago, the City Traffic Engineer approved a plan to shift the centerline of this block of Pine Avenue westerly to bring it more in line with Pine Avenue to the north of Ocean Boulevard. In addition, the right-of-way was to be reduced in width from 100 to 86 feet, maintaining 5 lanes of travel and 15-foot wide sidewalks on either side of the street. This plan was approved by the Department of Public Works over 10 years ago, and the various projects proposed for this site over the years have assumed that the easterly boundary of Pine Avenue would be relocated 14 feet west of the existing property boundary. The proposed street vacation to accomplish this boundary relocation 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. The site plan showing the relocated curbline and the restriping of traffic lanes is shown on the attached Exhibit B.
2. On July 17, 2003, 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, Environmental Impact Report No. EIR-47-02 was certified for this project. The Planning Department staff report is included as Exhibit C.
3. A public storm drain line lies 10 feet west of the existing east line of Pine Avenue for which an easement must be reserved in the resolution vacating. This line will be relocated during construction of the project, and the reserved easement quitclaimed upon relocation of the storm drain line to the satisfaction of the City Engineer.

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4. The interested City Departments, including Fire and Police, 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 April 5, 2004. The City of Long Beach does not guarantee reversionary rights over the vacated right-of-way.

TIMING CONSIDERATIONS

City Council action is requested on May 11, 2004, to allow development of this project to proceed.

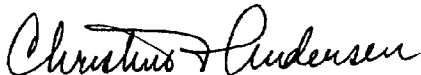
FISCAL IMPACT

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:

1. Adopt the attached resolution of intention to vacate the easterly 14 feet of Pine Avenue adjacent to 100 E. Ocean Boulevard, as shown on Exhibit A;
2. Set a public hearing for the subject vacation on June 15, 2004, in the City Council chambers to allow all persons interested in, or objecting to, the proposed vacation to appear and be heard.
3. Authorize the City Manager to execute a quitclaim of the reserved storm drain easement upon relocation of the existing storm drain to the satisfaction of the City Engineer.

Respectfully submitted,



CHRISTINE F. ANDERSEN
DIRECTOR OF PUBLIC WORKS

APPROVED:



GERALD R. MILLER
CITY MANAGER

GMM:SC
P/Vac 100 Ocean

Attachments