

951V
SKETCH SHOWING AN ALLEY WEST OF LONG BEACH
BOULEVARD AND NORTH OF FOURTEENTH STREET TO BE
VACATED BY THE CITY OF LONG BEACH.

■■■■ SHOWS ALLEY TO BE VACATED

ENGINEERING BUREAU
CITY OF LONG BEACH, CALIFORNIA

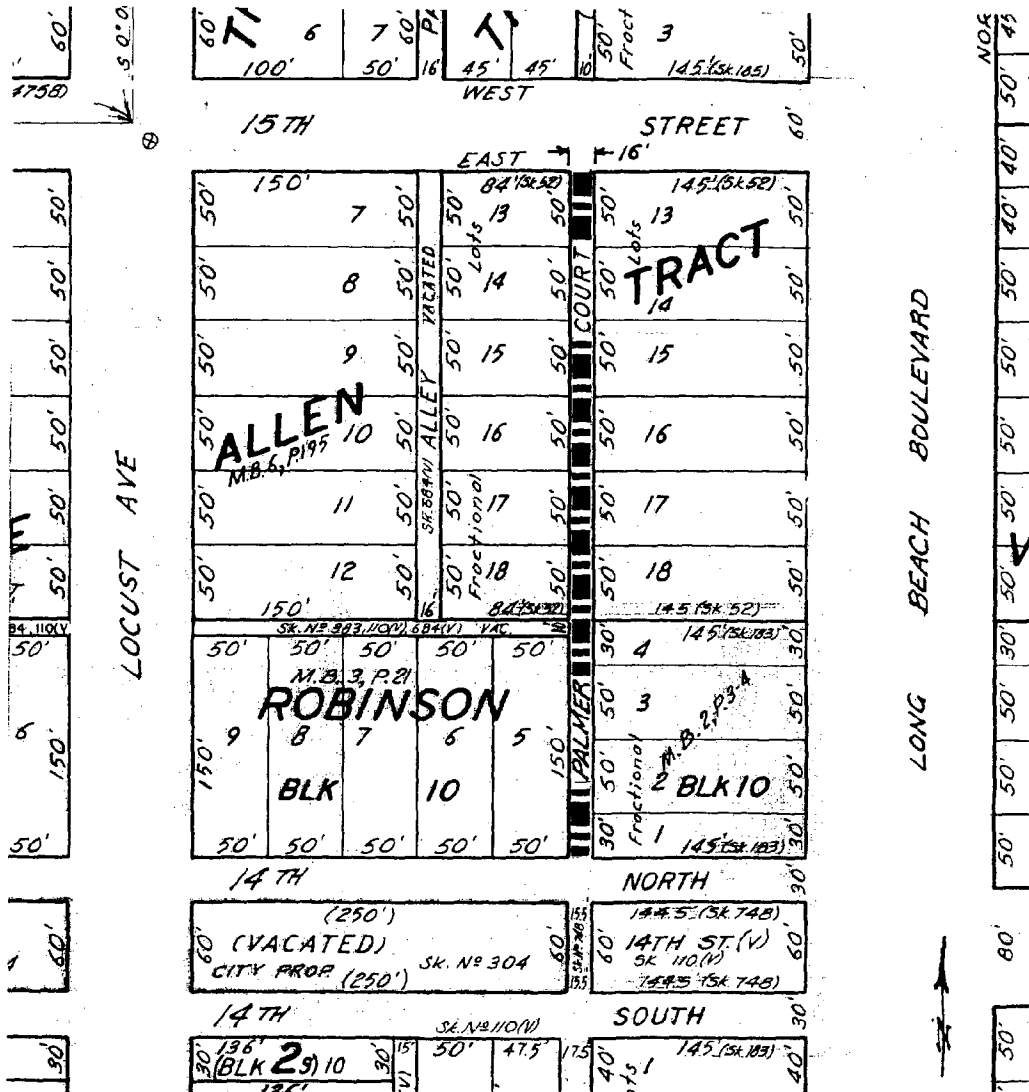


EXHIBIT A

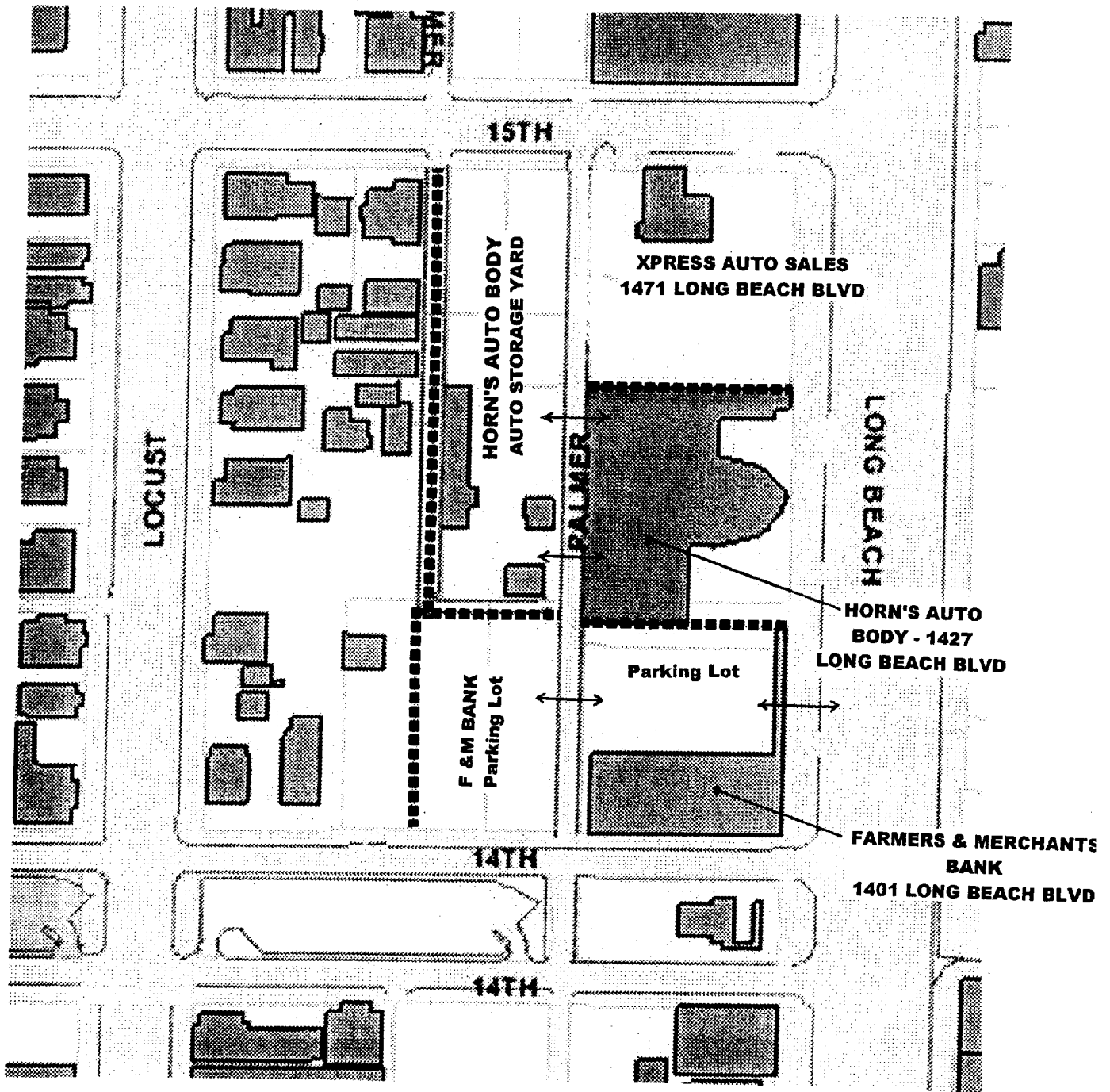


EXHIBIT B



CITY OF LONG BEACH

DEPARTMENT OF PLANNING AND BUILDING

333 West Ocean Boulevard • Long Beach, CA 90802 • (562) 570-6357 FAX (562) 570-6068

ADVANCE PLANNING

February 5, 2004

CONSENT CALENDAR

CHAIR AND PLANNING COMMISSIONERS
City of Long Beach
California

SUBJECT: Finding of Conformity with the *General Plan* for an Alley Vacation

LOCATION: East of Long Beach Boulevard and North of Fourteenth Street

APPLICANT: Doug Horn
1427 Long Beach Boulevard

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 proposes to vacant the alley that bisects their property, as depicted on Exhibit A, in order to better secure their property at night and to prevent nuisance activity. The proposed alley vacation has been reviewed and approved by the Long Beach Public Works Department after consultation with other interested City departments.

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 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 public right-of-way in question is a boundary line between Land Use District (LUD) 7, Mixed Use – along Long Beach Boulevard – and Land Use District (LUD) 3B, Moderate Density Residential District – west of Long Beach Boulevard. The intent of LUD 7 is to allow the “synergistic” blending of different types of land use that would vitalize our urban structure. The alley vacation will not change the commercial nature of the site and will not conflict with the Land Use District. The Intent of LUD 3B is to provide apartment and condominium living opportunities in moderate density projects which conform in height and design to lower density neighborhoods which they may border. The proposed vacation will not result in the change of the adjacent housing stock.

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 within the downtown and is no longer needed for public access. 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 34-04 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,

EXHIBIT C
Page 2 of 3

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
2. Notice of Exemption

CONDITIONS OF APPROVAL

SKETCH NO. 951V

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 gas, water, sewer and telephone 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.

GM:SC/ D78

EXHIBIT D

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RESOLUTION NO. C-

A RESOLUTION OF INTENTION TO VACATE A PORTION OF THE ALLEY WEST OF LONG BEACH BOULEVARD AND NORTH OF FOURTEENTH STREET, RESERVING EASEMENTS FOR UTILITIES, IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, PURSUANT TO THE PUBLIC STREET, HIGHWAYS AND SERVICE EASEMENTS LAW (DIVISION 9, PART 3, CALIFORNIA STREETS AND HIGHWAYS CODE); FIXING A TIME AND PLACE FOR HEARING ALL PERSONS INTERESTED IN OR OBJECTING TO THE PROPOSED VACATION

The City Council of the City of Long Beach resolves as follows:

Section 1. The City Council of the City of Long Beach hereby elects to proceed under Section 8300 et seq. of the California Streets and Highways Code, as amended, generally known and referred as the "Public Street, Highways and Service Easements Law", and hereby declares its intention to vacate a portion of the alley west of Long Beach Boulevard and north of Fourteenth Street, reserving easements for utilities, in the City of Long Beach, County of Los Angeles, State of California, described more particularly as follows:

That 16-foot wide north-south public alley in Block 10 of the Townsend & Robinson Tract in the City of Long Beach, County of Los Angeles, State of California, as shown on the map of said Tract filed in Book 2, Pages 3 and 4 of Maps in the Office of the County Recorder of said county, bounded on the north by the westerly prolongation of the northerly line of Lot 4 of said block and tract, and bounded on the south by the westerly prolongation of the northerly line of the southerly 20 feet Lot 1 of said block and tract.

AND, the contiguous 16-foot wide strip of land within Lots 13 through 18, inclusive, of The Allen Tract in the City of Long Beach, County of Los Angeles, State of California, said lots shown on the map of said Tract filed in Book 6, Page 195 of Maps in said County Recorder's office, dedicated to

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

1 the City of Long Beach as a public alley on July 9, 1919, and recorded in
2 said County Recorder's office on October 10, 1919 in book 6968, page 132.

3 Reserving unto the City of Long Beach, its successors and assigns, over the
4 entire area vacated herein, a perpetual easement and right-of-way, at any
5 time or from time to time, to lay, construct, maintain, operate, repair, renew,
6 replace, change the size of and remove the existing utility lines, including, but
7 not limited to, sanitary sewers together with all necessary gates, valves,
8 fittings, hydrants and appurtenances for the transportation of water and gas,
9 with the right of ingress to and egress from the same, over, through, under,
10 along and across that certain property vacated herewith; and pursuant to any
11 existing franchises or renewals thereof, or otherwise, to construct, maintain,
12 operate, replace, remove, renew and enlarge lines of conduits, cables, wires,
13 poles and other convenient structures, equipment and fixtures for the
14 operation of telephone lines and other communication lines, and for the
15 transportation or distribution of electric energy, and incidental purposes
16 including access and the right to keep the property free from inflammable
17 materials, and wood growth, and otherwise protect the same from all hazards
18 in, upon and over the part vacated. Access for maintenance of the above-
19 mentioned facilities must be maintained at all times. No improvements shall
20 be constructed within the easement which would impede the operation,
21 maintenance or repair of said facilities. Construction of any improvements,
22 including changes of grade, shall be subject to the prior written approval of
23 all the City departments and public utilities responsible for the above said
24 facilities.

25 Sec. 2. All of the foregoing real property is shown on the map or plan
26 thereof, attached hereto as Exhibit "A", and on file in the office of the City Clerk, which map
27 or plan is known and referred to as City of Long Beach Department of Engineering
28 Vacation Sketch No. 951V entitled, "SKETCH SHOWING AN ALLEY WEST OF LONG
BEACH BOULEVARD AND NORTH OF FOURTEENTH STREET, TO BE VACATED BY
THE CITY OF LONG BEACH."

Sec. 3. This vacation is appropriate since the area to be vacated is
unnecessary for present or prospective public use.

Sec. 4. It is the intent of the City Council that this vacation be conditioned on
the resolution by the property owner of any storm water drainage problems resulting from
the vacation, to the satisfaction of the Director of Public Works.

Sec. 5. The City Council hereby fixes the _____ day of _____,
2004, at the hour of _____ .m., as the time and 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 all persons interested in or objecting to the proposed vacation.

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Sec. 6. The City Council hereby directs that notice of this street vacation be posted conspicuously along the street to be vacated at least two (2) weeks before the date set for hearing and in the manner provided by Section 8323 of the State Streets and Highways Code.

Sec. 7. This resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify the vote adopting this resolution.

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 vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk

LPM:et
03/23/04
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