

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.

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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

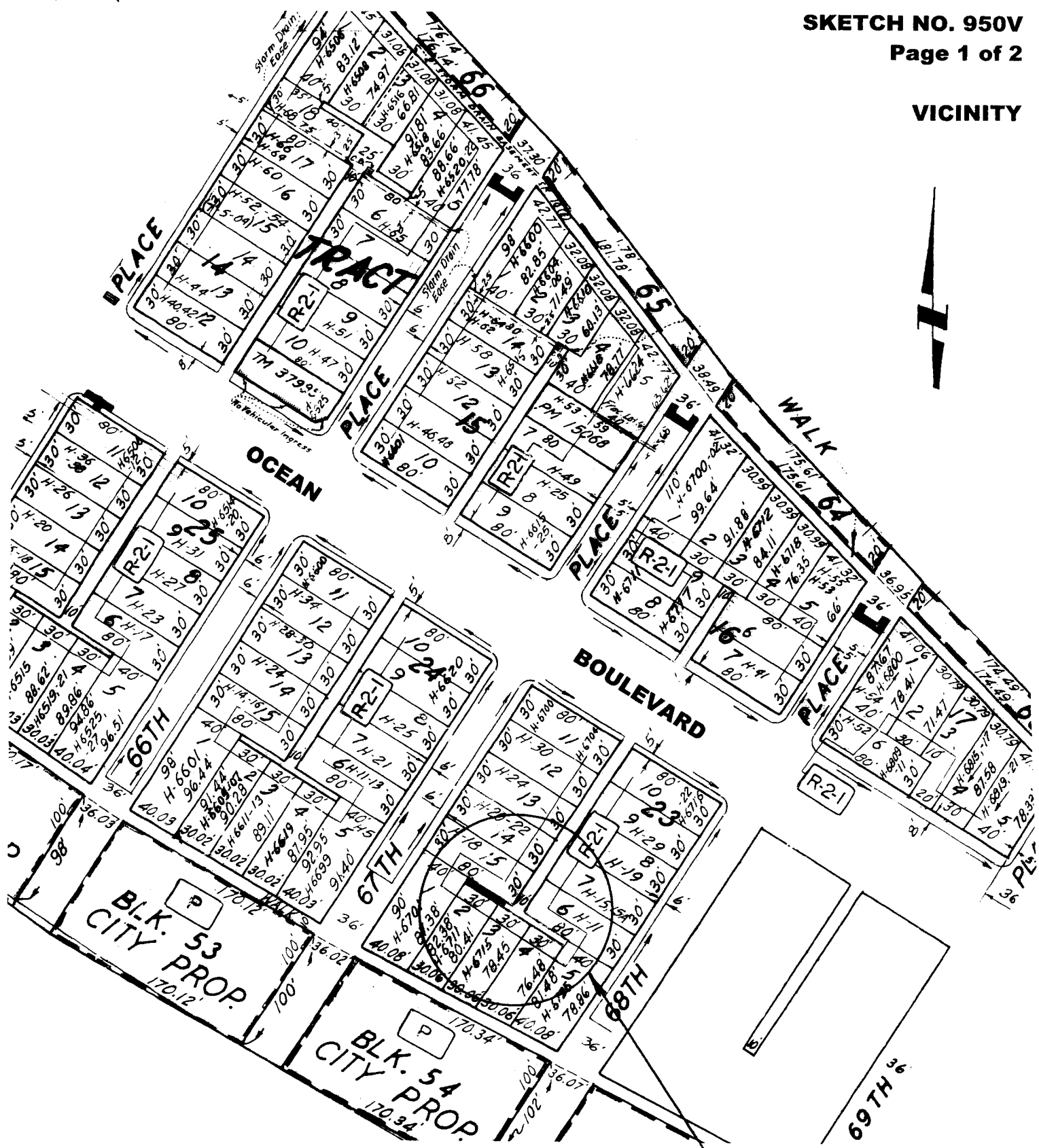
GMM:SCp (RW 18 67th Place Vac CL1)

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

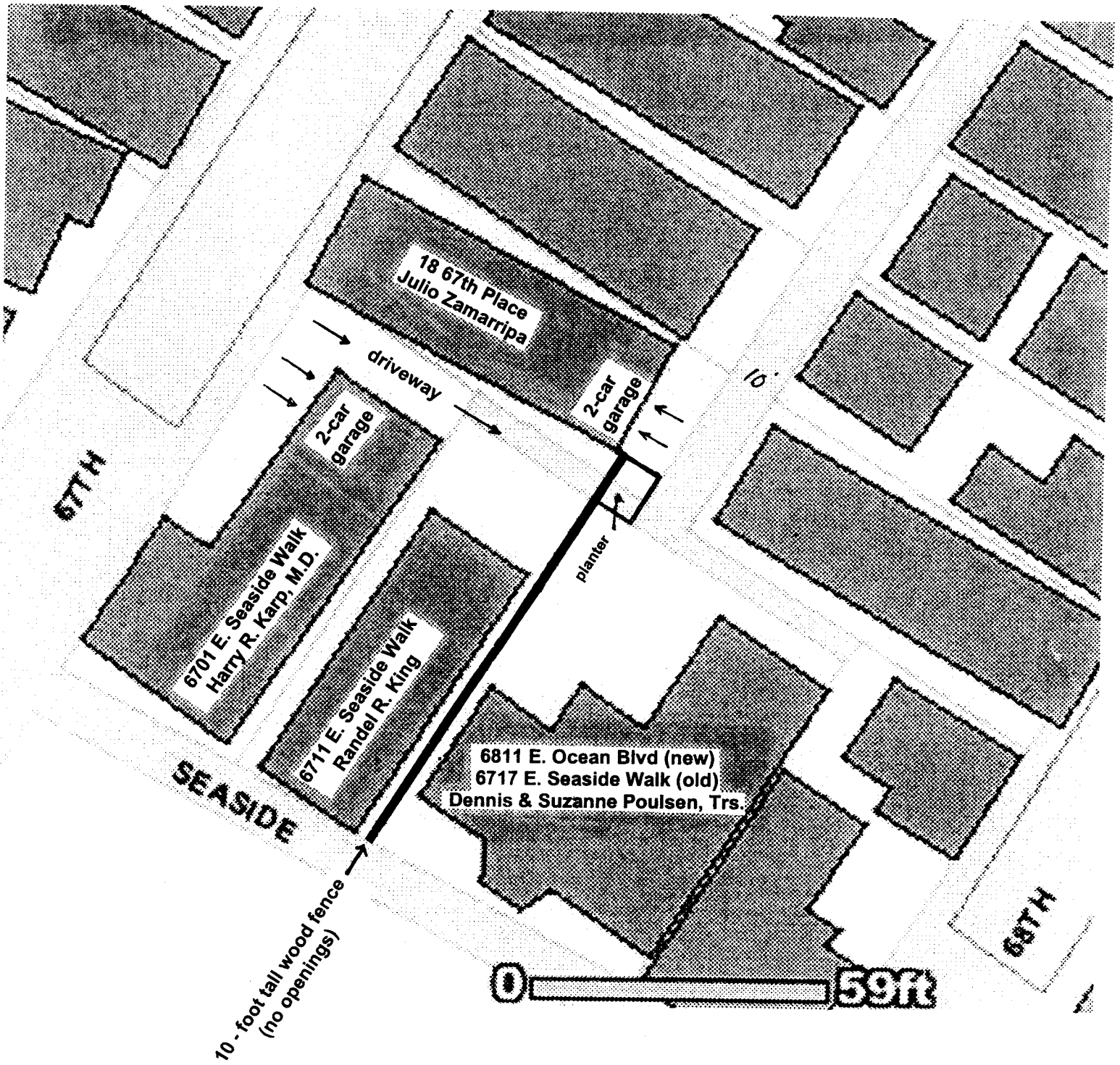
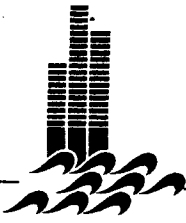


EXHIBIT B



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 19, 2004

CHAIR AND PLANNING COMMISSIONERS
City of Long Beach
California

SUBJECT: Finding of Conformity with the *General Plan* for an Alley Vacation
(Council District 3)

LOCATION: Alley East of 67th Place and South of Ocean Boulevard

APPLICANT: 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

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

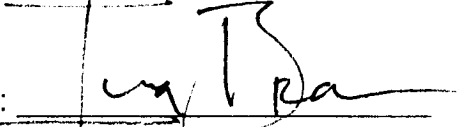
In accordance with the guidelines for implementing the California Environmental Quality Act (CEQA), categorical exemption 62-04 was issued.

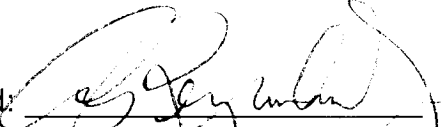
IT IS RECOMMENDED THAT THE PLANNING COMMISSION

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

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