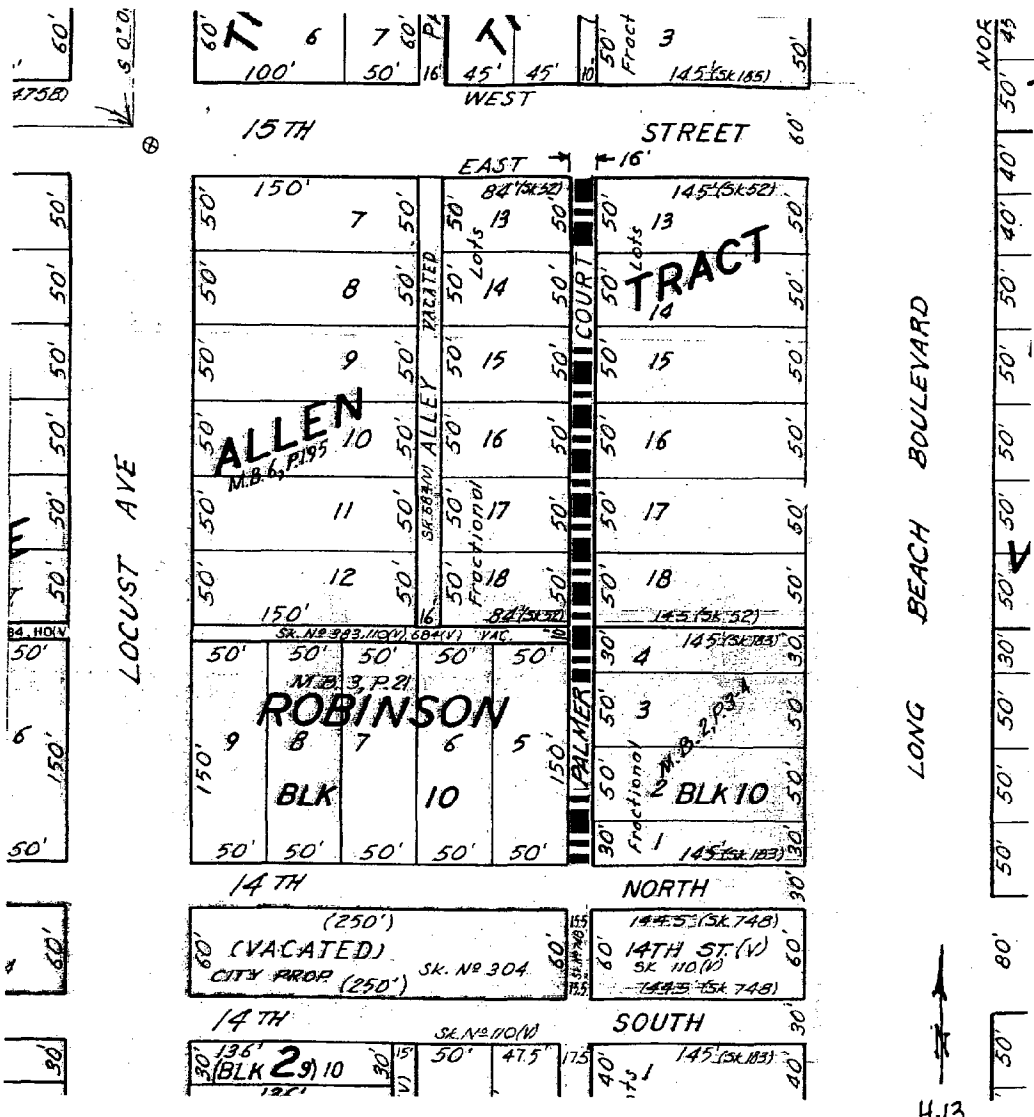


**951V**  
**SKETCH SHOWING AN ALLEY WEST OF LONG BEACH**  
**BOULEVARD AND NORTH OF FOURTEENTH STREET TO BE**  
**VACATED BY THE CITY OF LONG BEACH.**

■ ■ ■ ■ SHOWS ALLEY TO BE VACATED

ENGINEERING BUREAU  
 CITY OF LONG BEACH, CALIFORNIA



**EXHIBIT A**



# CITY OF LONG BEACH

## DEPARTMENT OF PUBLIC WORKS

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 Alley West of Long Beach Boulevard  
and North of Fourteenth Street (District 1)

### DISCUSSION

The owner of Horn's Auto Body at 1427 Long Beach Boulevard requests that the City vacate the alley bisecting his property. There are three property owners adjacent to this alley, but none will lose access if the alley is vacated. This vacation was recommended by the Planning and Building Department as a means to secure the alley against criminal activity. The alley to be vacated is shown on 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 parcels adjacent to this alley are occupied by Horn's Auto Body (1427 Long Beach Boulevard), Farmer's & Merchants Bank (1401 Long Beach Boulevard), and Xpress Auto Sales (1471 Long Beach Boulevard). These parcels and vehicular site access to the parcels are shown on the attached Exhibit B. No access will be lost due the proposed vacation.
2. On February 5, 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 CE 34-04 was issued for this project. The Planning Department staff report is included as Exhibit C.

**ADMINISTRATION, PLANNING & FACILITIES**  
333 W. Ocean Blvd., 8<sup>th</sup> Floor  
Long Beach, CA 90802  
Ph. (562) 570-6383  
Fax (562) 570-6012

**AIRPORT**  
4100 Donald Douglas Dr.  
Long Beach, CA 90804  
Ph. (562) 570-2600  
Fax (562) 570-2601

**ENGINEERING & STREET MAINTENANCE**  
333 W. Ocean Blvd., 9<sup>th</sup> Floor  
Long Beach, CA 90802  
Ph. (562) 570-6634  
Fax (562) 570-6012

**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  
May 11, 2004  
Page 2

3. 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 March 24, 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 \$1,500 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 July 6, 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,

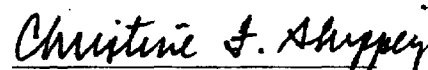


CHRISTINE F. ANDERSEN  
DIRECTOR OF PUBLIC WORKS

GMM:SC/ p: Vac LBB 14th CL R of I

Attachments

APPROVED:



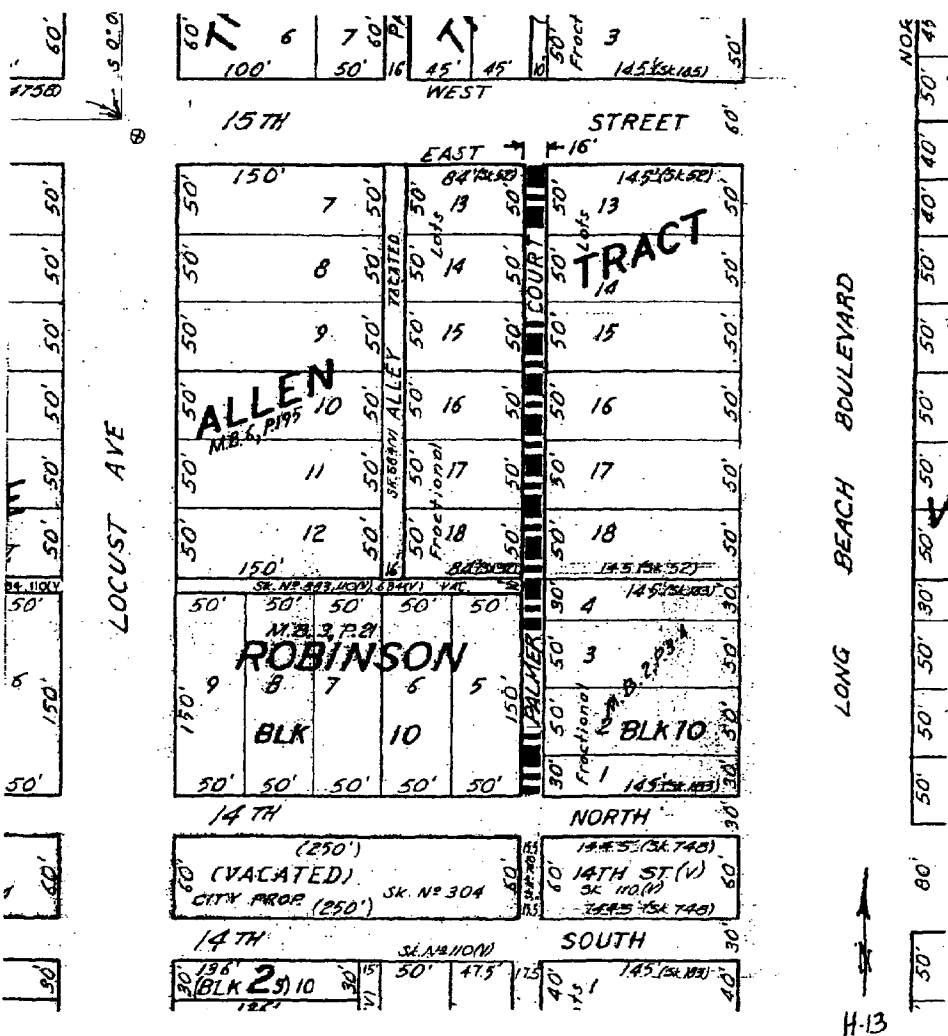
*for* GERALD R. MILLER  
CITY MANAGER

951V

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

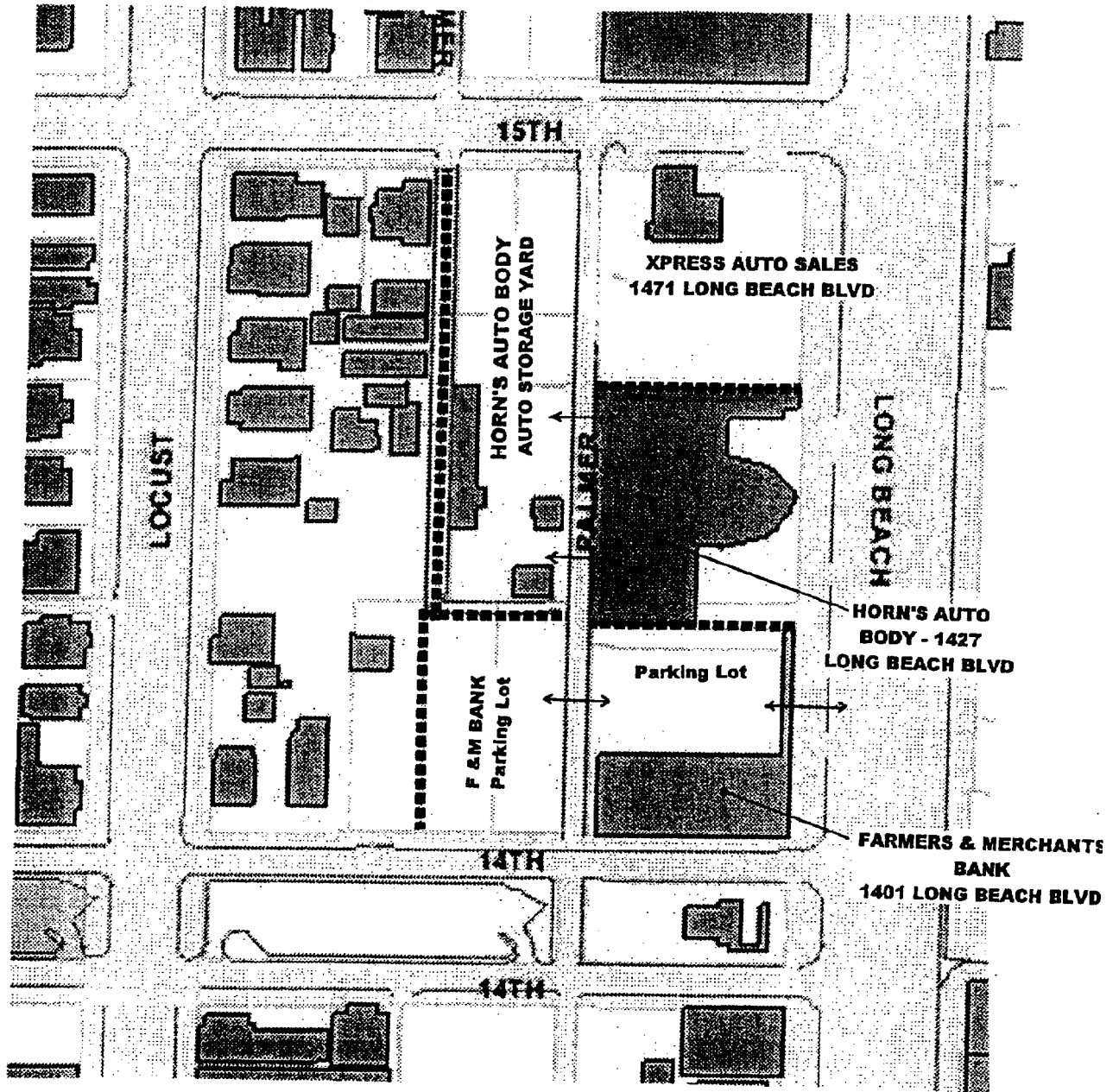
■■■■■ SHOWS ALLEY TO BE VACATED

ENGINEERING BUREAU  
CITY OF LONG BEACH, CALIFORNIA



(original Exhibit A)

STEREOPHOTO RECORD NO. 149370



(original 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

(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 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**

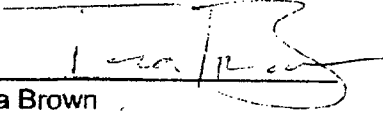
Find the proposed alley vacation, as depicted in Exhibit A, in conformance with the *General Plan*.

Respectfully submitted,

(Original Exhibit C, Page 2 of 3)

CHAIR AND PLANNING COMMISSIONERS  
February 5, 2004  
Page 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

(Original Exhibit C, Page 3 of 3)

**EXHIBIT B**

**Page 7 of 8**



## 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

(original Exhibit D)



# CITY OF LONG BEACH

## DEPARTMENT OF PUBLIC WORKS

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

July 6, 2004

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

SUBJECT: Public Hearing for the Vacation of the Alley West of Long Beach Boulevard  
and North of Fourteenth Street (District 1)

### DISCUSSION

The owner of Horn's Auto Body at 1427 Long Beach Boulevard requests that the City vacate the alley bisecting his property. There are three property owners adjacent to this alley, but none will lose access if the alley is vacated. This vacation was recommended by the Planning and Building Department as a means to secure the alley against criminal activity. The alley to be vacated is shown on Exhibit A.

On May 11, 2004, the City Council adopted Resolution No. C-28370 declaring its intention to vacate the subject right-of-way, and set July 6, 2004, as the date for the public hearing. A copy of the May 11, 2004, City Council letter is attached as Exhibit B. Assistant City Attorney Michael J. Mais reviewed this matter on July 1, 2004.

### TIMING CONSIDERATIONS

It has been determined that the vacation of this alley may have an impact on the potential development of a new public school in this area. In order to allow time for the Long Beach Unified School District to study this matter and take the appropriate action, we recommend that this matter be continued to September 7, 2004.

### FISCAL IMPACT

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

HONORABLE MAYOR AND CITY COUNCIL  
July 6, 2004  
Page 2

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Continue the public hearing to September 7, 2004.

Respectfully submitted,



CHRISTINE F. ANDERSEN  
DIRECTOR OF PUBLIC WORKS

GGM:SC/ p(Vac 100 Ocean cont PH CL)  
Attachments

APPROVED:



GERALD R. MILLER  
CITY MANAGER

1 RESOLUTION NO. C-  
2

3 A RESOLUTION ORDERING THE VACATION OF A  
4 PORTION OF THE ALLEY WEST OF LONG BEACH  
5 BOULEVARD AND NORTH OF FOURTEENTH STREET,  
6 RESERVING EASEMENTS FOR UTILITIES, IN THE CITY OF  
7 LONG BEACH, COUNTY OF LOS ANGELES, STATE OF  
8 CALIFORNIA

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  
11 intention to order the vacation, pursuant to the provisions of the Public Streets, Highways,  
12 and Service Easements Law, of a portion of the alley west of Long Beach Boulevard and  
13 north of Fourteenth Street, City of Long Beach, County of Los Angeles, State of California,  
14 described more particularly as follows:

15 That 16-foot wide north-south public alley in Block 10 of the Townsend &  
16 Robinson Tract in the City of Long Beach, County of Los Angeles, State of  
17 California, as shown on the map of said Tract filed in Book 2, Pages 3 and  
18 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.

19 AND, the contiguous 16-foot wide strip of land within Lots 13 through 18,  
20 inclusive, of The Allen Tract in the City of Long Beach, County of Los  
21 Angeles, State of California, said lots shown on the map of said Tract filed in  
22 Book 6, Page 195 of Maps in said County Recorder's office, dedicated to the  
City of Long Beach as a public alley on July 9, 1919, and recorded in said  
County Recorder's office on October 10, 1919 in book 6968, page 132.

23 Reserving unto the City of Long Beach, its successors and assigns, over the  
24 entire area vacated herein, a perpetual easement and right-of-way, at any  
25 time or from time to time, to lay, construct, maintain, operate, repair, renew,  
26 replace, change the size of and remove the existing utility lines, including, but  
27 not limited to, sanitary sewers and appurtenant structures, together with all  
28 necessary gates, valves, fittings, hydrants and appurtenances for the  
transportation of water and 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

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

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

1 energy, and incidental purposes including access and the right to keep the  
2 property free from inflammable materials, and wood growth, and otherwise  
3 protect the same from all hazards in, upon and over the part vacated. Access  
4 for maintenance of the above-mentioned facilities must be maintained at all  
5 times. No improvements shall be constructed within the easement which  
6 would impede the operation, maintenance or repair of said facilities.  
7 Construction of any improvements, including changes of grade, shall be  
8 subject to the prior written approval of all the City departments and public  
9 utilities responsible for the above said facilities.

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

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

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

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

23 Section 1. Pursuant to the foregoing resolution of intention, the proceedings  
24 had thereunder, the "SKETCH SHOWING A PORTION OF THE ALLEY WEST OF LONG  
25 BEACH BOULEVARD AND NORTH OF FOURTEENTH STREET TO BE VACATED BY  
26 THE CITY OF LONG BEACH" attached hereto as Exhibit "A", and the City Council Findings  
27 attached hereto as Exhibit "B", the City Council of the City of Long Beach hereby makes  
28 its resolution vacating and closing a portion of the alley herein described.

Sec. 2. This resolution shall take effect upon certification by the City Engineer  
that the conditions attached to the vacation (relating to utility easements and the resolution  
of any storm water drainage issues resulting from the vacation) have been fulfilled. Upon

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

1 such certification, the City Clerk is hereby instructed to certify to the adoption thereof, and  
2 to cause a certified copy to be recorded in the Office of the County Recorder of the County  
3 of Los Angeles, California.

4 I hereby certify that the foregoing resolution was adopted by the City Council  
5 of the City of Long Beach at its meeting of \_\_\_\_\_, 2004 by the following votes:

6  
7 Ayes: Councilmembers: \_\_\_\_\_

8 \_\_\_\_\_

9 \_\_\_\_\_

10 \_\_\_\_\_

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

12 \_\_\_\_\_

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

14 \_\_\_\_\_

15 \_\_\_\_\_

16 \_\_\_\_\_

17 \_\_\_\_\_

City Clerk

18 \_\_\_\_\_

19 \_\_\_\_\_

20 \_\_\_\_\_

21 \_\_\_\_\_

22 \_\_\_\_\_

23 \_\_\_\_\_

24 \_\_\_\_\_

25 \_\_\_\_\_

26 LPM:et

27 03-22-04

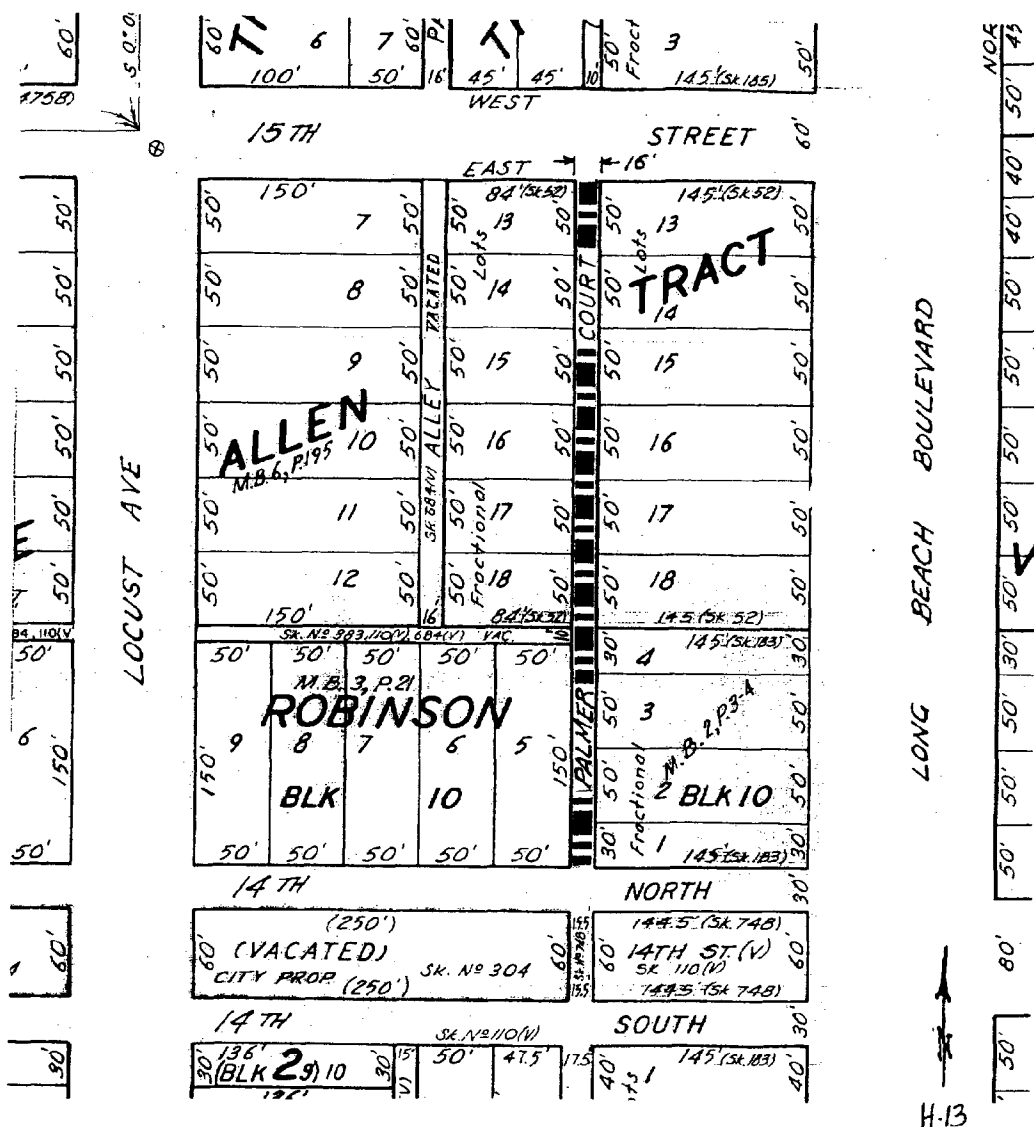
28 04-00919  
L:\APPS\CtyLaw\32\WPDOCS\024\0003\00058229.WPD

**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**

## **CITY COUNCIL FINDINGS**

### **VACATION OF THE ALLEY WEST OF LONG BEACH BOULEVARD AND NORTH OF FOURTEENTH STREET - Reference Sketch No. 951V**

---

1. The subject right-of-way is 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 May 11, 2004 City Council meeting regarding the resolution of intention to vacate the subject right-of-way, adopted as C-28370.
- 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 is not and will not be needed for public use.
- c) In conformance with the California Environmental Quality Act, Categorical Exemption No. 34-04 was issued for this project.

SC