



# CITY OF LONG BEACH **CH-1**

DEPARTMENT OF PUBLIC WORKS

333 West Ocean Boulevard 9<sup>th</sup> Floor • Long Beach, CA 90802 • (562) 570-6383 • Fax (562) 570-6012

October 16, 2012

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Continue the hearing of the vacation of the east/west alley located west of Quincy Avenue and south of 7<sup>th</sup> Street to the City Council meeting of November 20, 2012. (District 3)

## DISCUSSION

On September 18, 2012, at the scheduled public hearing date for this action, the City Council continued the public hearing to the City Council meeting of October 16, 2012, to allow staff additional time to further discuss the impacts of the proposed alley vacation with adjoining land owners. Staff has not yet concluded these outreach efforts and requests additional time to achieve consensus.

This matter was reviewed by Deputy City Attorney Linda Trang on October 4, 2012.

## TIMING CONSIDERATIONS

City Council action is requested on October 16, 2012, to ensure that the public hearing is continued to the City Council meeting of November 20, 2012.

## FISCAL IMPACT

None.

## SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

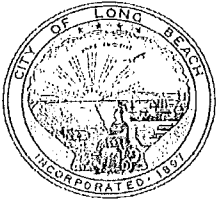
  
MICHAEL P. CONWAY  
DIRECTOR OF PUBLIC WORKS

MPC:AR:GM:bs  
P:c/10.16/continue hearing for 7<sup>th</sup> vacation

Attachment – Original Council Letter

APPROVED:

  
PATRICK H. WEST  
CITY MANAGER



# CITY OF LONG BEACH

~~H-3~~

DEPARTMENT OF PUBLIC WORKS

333 West Ocean Boulevard 9<sup>th</sup> Floor • Long Beach, CA 90802 • (562) 570-6383 • Fax (562) 570-6012

September 18, 2012

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Receive supporting documentation into the record, conclude the public hearing, find that the area to be vacated is not needed for present or prospective public use, and adopt the attached Resolution ordering the vacation of a portion of the east half of the east/west alley, west of Quincy Avenue and south of 7<sup>th</sup> Street. (District 3)

## DISCUSSION

In order to reduce nuisance activity and illegal dumping in this alley, the resident at 669 Quincy Avenue has requested that the alley be vacated and staff supports this request. The area proposed to be vacated is shown on Exhibit A. Consistent with California land reversion practices, the 2.5 foot wide northern portion of the alley will revert back to the original property owner located at 4540 East 7<sup>th</sup> Street, and the remaining 15 feet will be divided in half by property owners on each side of the alley. A ten-foot-wide easement has been reserved by Southern California Edison on the north side of the alley as shown on Exhibit B. No buildings may be constructed within the easement area.

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.

On August 14, 2012, the City Council adopted Resolution No. RES-12-0074, declaring its intention to vacate the subject right-of-way, and set September 18, 2012 as the date for the public hearing.

This matter was reviewed by Deputy City Attorney Linda Trang and by Budget Management Officer Victoria Bell on August 27, 2012.

TIMING CONSIDERATIONS

The date of this public hearing was set by City Council action.

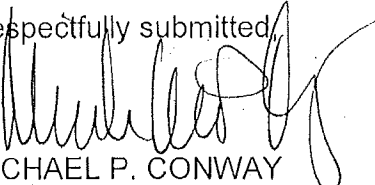
FISCAL IMPACT

Both the Tentative Fee in the amount of \$7,080 and the Final Fee in the amount of \$7,080, for a total amount of \$14,160, have been paid by the petitioner and deposited to the General Fund (GP). Approval of this vacation would potentially have a positive impact on the local job market.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

  
MICHAEL P. CONWAY  
DIRECTOR OF PUBLIC WORKS

APPROVED:

  
PATRICK H. WEST  
CITY MANAGER

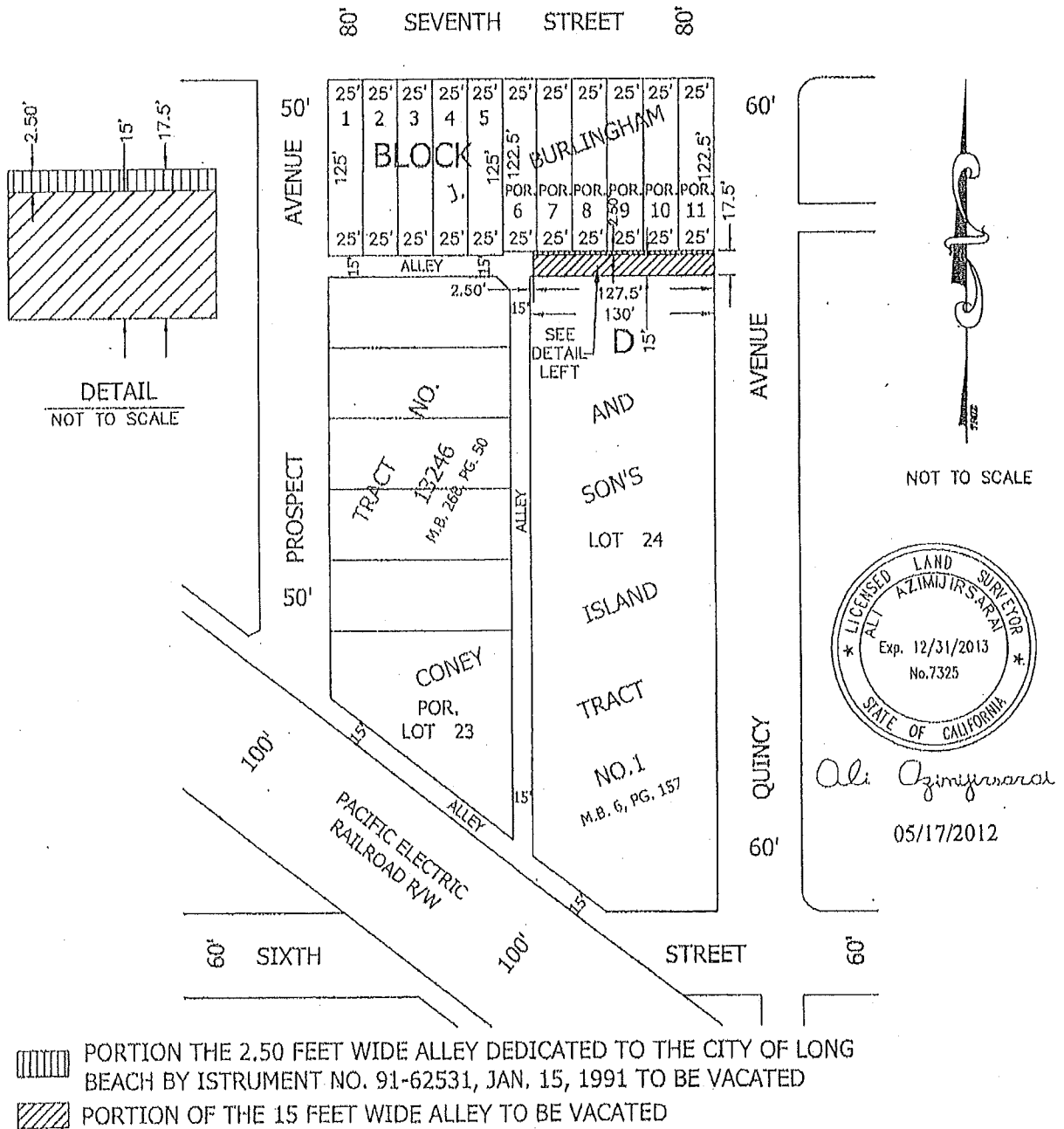
MPC:AM:GMM:SDJ:db  
PCL\ROW 7<sup>th</sup> & Quincy Alley Vacation.rev1.doc

Attachments:

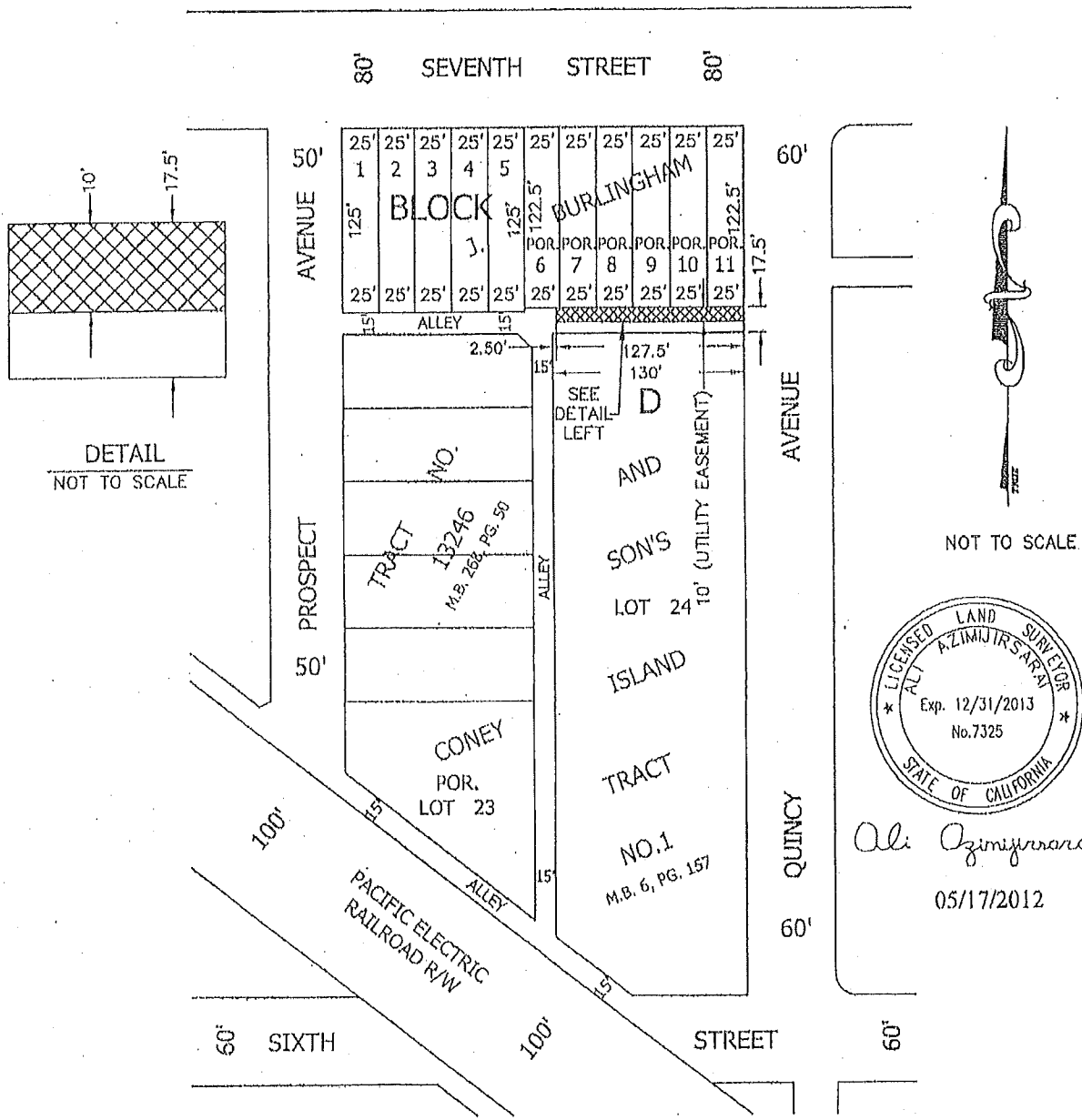
- Exhibit A – Vacation Site Map
- Exhibit B – Utility Site Map


Resolution

SKETCH SHOWING PORTIONS OF LOTS 6, 7, 8, 9, 10 AND 11 OF BLOCK D,  
 J. BURLINGHAM AND SON'S CONEY ISLAND TRACT NO. 1 AS DEDICATED  
 TO THE CITY OF LONG BEACH FOR ALLEY PURPOSES AND A PORTION OF THE  
 EAST - WEST 15 FOOT WIDE ALLEY IN SAID BLOCK D TO BE VACATED  
 BY THE CITY OF LONG BEACH



SKETCH SHOWING PORTIONS OF LOTS 6, 7, 8, 9, 10 AND 11 OF BLOCK D,  
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 10 FEET WIDE UTILITY EASEMENT



*Ali Azimjirani*  
 05/17/2012

OFFICE OF THE CITY ATTORNEY  
ROBERT E. SHANNON, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664

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RESOLUTION NO.

A RESOLUTION ORDERING THE VACATION OF THE EAST HALF OF THE EAST-WEST ALLEY, SOUTH OF 7<sup>TH</sup> STREET AND WEST OF QUINCY AVENUE IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

WHEREAS, the City Council of the City of Long Beach, did heretofore, on the 14<sup>th</sup> of August, 2012, by Resolution No. RES-12-0074 declare its intention to order the vacation, pursuant to the provisions of the Public Streets, Highways, and Service Easements Vacation Law (California Streets and Highways Code, Section 8300 *et seq.*), the east half of the east-west alley, south of 7<sup>th</sup> Street and west of Quincy Avenue, in the City of Long Beach, County of Los Angeles, State of California, described more particularly as follows:

That portion of the southerly 2.50 feet of Lots 6, 7, 8, 9, 10 and 11 in Block "D" of J. Burlingham and Son's Coney Island Tract No. 1, in the City of Long Beach, County of Los Angeles, State of California, as per map recorded in Book 6, Page 157 of Maps, in the office of the County Recorder of said County, as dedicated to and accepted by the City of Long Beach for alley purposes by deed recorded January 15, 1991 as Instrument No. 91-62531 of Official Records of said County and that portion of the 15 feet wide east-west alley abutting the south line of said Lots 6, 7, 8, 9, 10 and 11, all being bounded on the east by the westerly sideline of Quincy Avenue, 60 feet wide, and bounded on the west by the northerly prolongation of the easterly line of the westerly

OFFICE OF THE CITY ATTORNEY  
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1 2.5 feet of Lot 24 of Block "D" of said J. Burlingham and  
2 Son's Coney Island Tract No. 1.

3 Reserving a utility easement over the northerly 10.00 feet of  
4 the above described land.

5 Contains 223.1 square feet, more or less.

6 WHEREAS, the City Council did, at said time, fix Tuesday, the 18<sup>th</sup>  
7 day of September, 2012, at the hour of 5:00 p.m., as the time and the  
8 City Council Chamber, Plaza Level of the City Hall, 333 West Ocean Boulevard, in the  
9 City of Long Beach, California, as the place for hearing for all persons interested in or  
10 objecting to the proposed vacation to appear and be heard; and

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

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

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

19 Section 1. Pursuant to the foregoing resolution of intention, the  
20 proceedings had thereunder, Vacation Sketch No. 1002V showing the east half of the  
21 east-west alley, south of 7<sup>th</sup> Street and west of Quincy Avenue to be vacated by the City  
22 of Long Beach attached hereto as Exhibit "A", and the City Council Findings attached  
23 hereto as Exhibit "B", said City Council of the City of Long Beach hereby makes its  
24 resolution vacating and closing a portion of the street hereinabove described.

25 Section 2. That this resolution shall take effect immediately upon its  
26 adoption by the City Council, and the City Clerk is hereby instructed to certify to the  
27 adoption thereof, and to cause a certified copy to be recorded in the Office of the County  
28 Recorder of the County of Los Angeles, California.

OFFICE OF THE CITY ATTORNEY  
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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 August 14th, 2012 by the following vote:

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

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

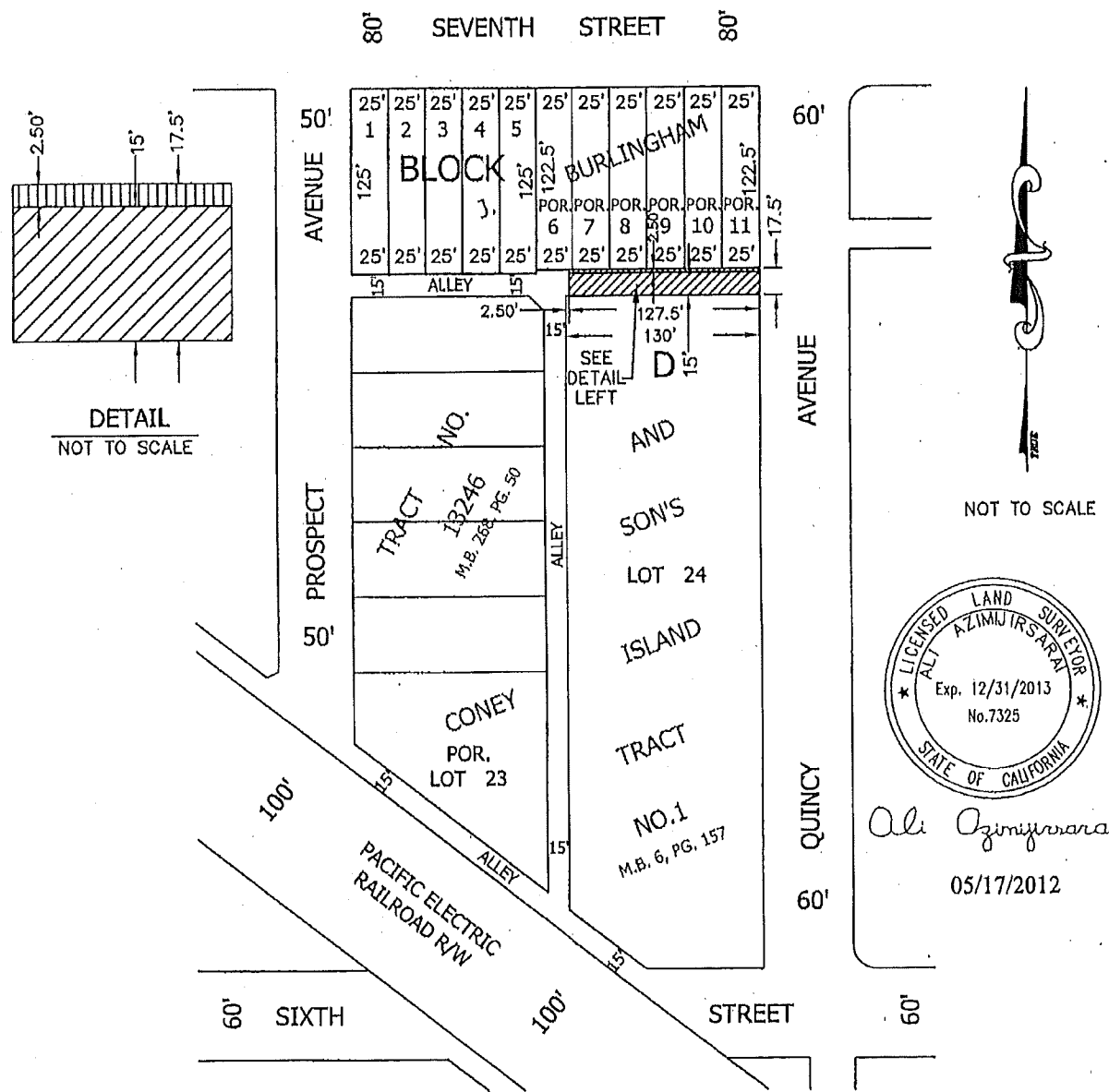
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City Clerk



SKETCH SHOWING PORTIONS OF LOTS 6, 7, 8, 9, 10 AND 11 OF BLOCK D,  
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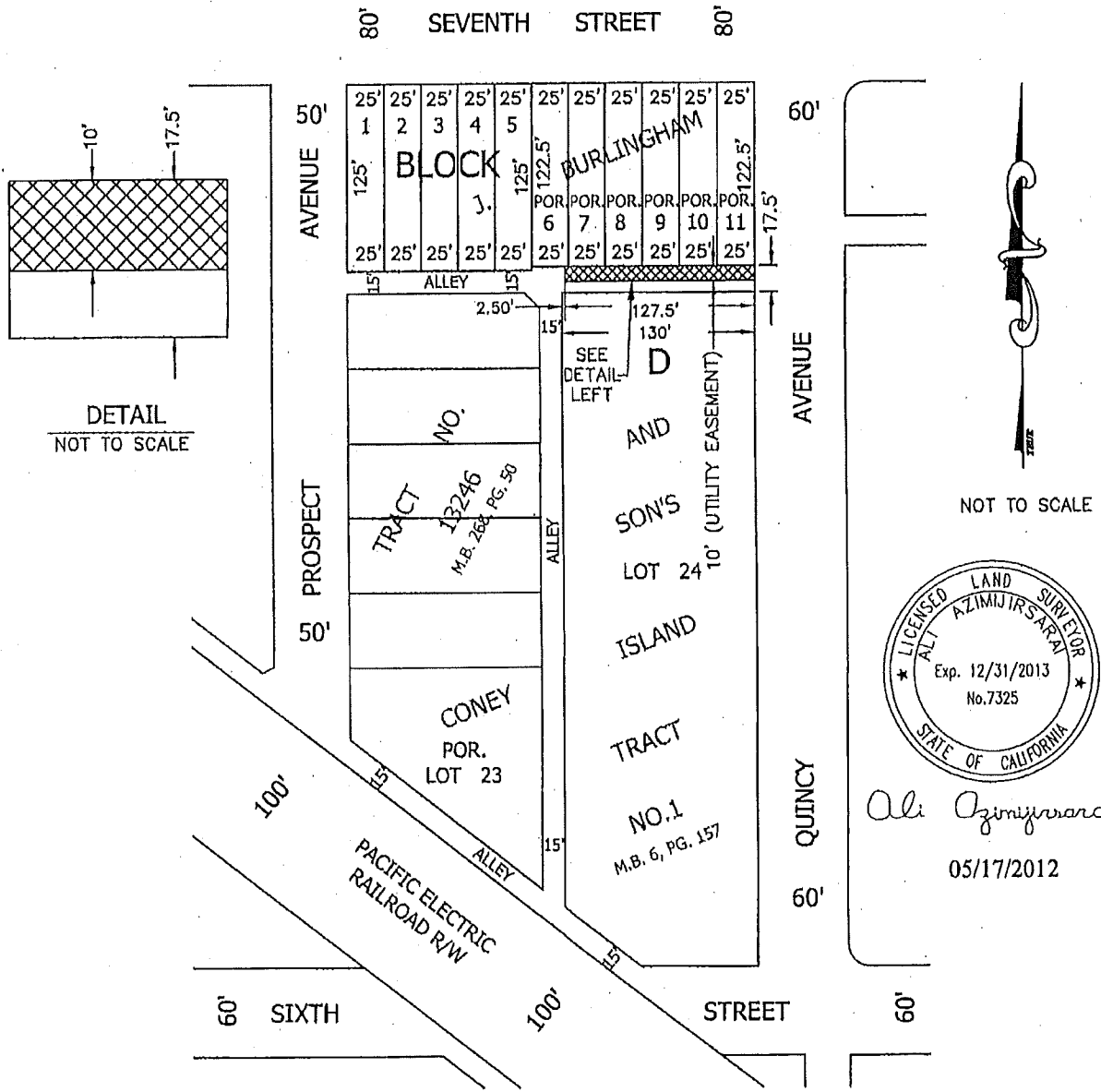
 PORTION THE 2.50 FEET WIDE ALLEY DEDICATED TO THE CITY OF LONG BEACH BY INSTRUMENT NO. 91-62531, JAN. 15, 1991 TO BE VACATED

 PORTION OF THE 15 FEET WIDE ALLEY TO BE VACATED



*Ali Azimjir Sarai*  
 05/17/2012

SKETCH SHOWING PORTIONS OF LOTS 6, 7, 8, 9, 10 AND 11 OF BLOCK D,  
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DETAIL  
 NOT TO SCALE

NOT TO SCALE



*Ali Azimjirani*  
 05/17/2012

10 FEET WIDE UTILITY EASEMENT

## CITY COUNCIL FINDINGS

### VACATION OF THE EAST HALF OF THE EAST/WEST ALLEY WEST OF QUINCY AVENUE AND SOUTH OF 7TH STREET

Reference Sketch No. 1002V

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1. The subject right-of-way is unnecessary for present or prospective public use.

This finding is based upon the following subfindings:

- a) On December 1, 2011, the Planning Commission determined that the subject vacation is consistent with the General Plan, as required in Section 8313 of the Public Streets, Highways and Service Easements Vacation Law.
- b) The interested City departments, including Fire and Police, have reviewed the proposed right-of-way vacation and have no objections to this action.
- c) The rights-of-way would not be useful for exclusive bicycle pathway 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.
- d) In conformance with the California Environmental Quality Act, Categorical Exemption Number 139-11 was issued for this project.

EXHIBIT B