

903V
SKETCH SHOWING A PORTION OF
PINE AVENUE BETWEEN OCEAN
BOULEVARD AND SEASIDE WAY
TO BE VACATED BY THE CITY
OF LONG BEACH.



SHOWS PORTION TO BE VACATED

ENGINEERING BUREAU
CITY OF LONG BEACH, CALIFORNIA

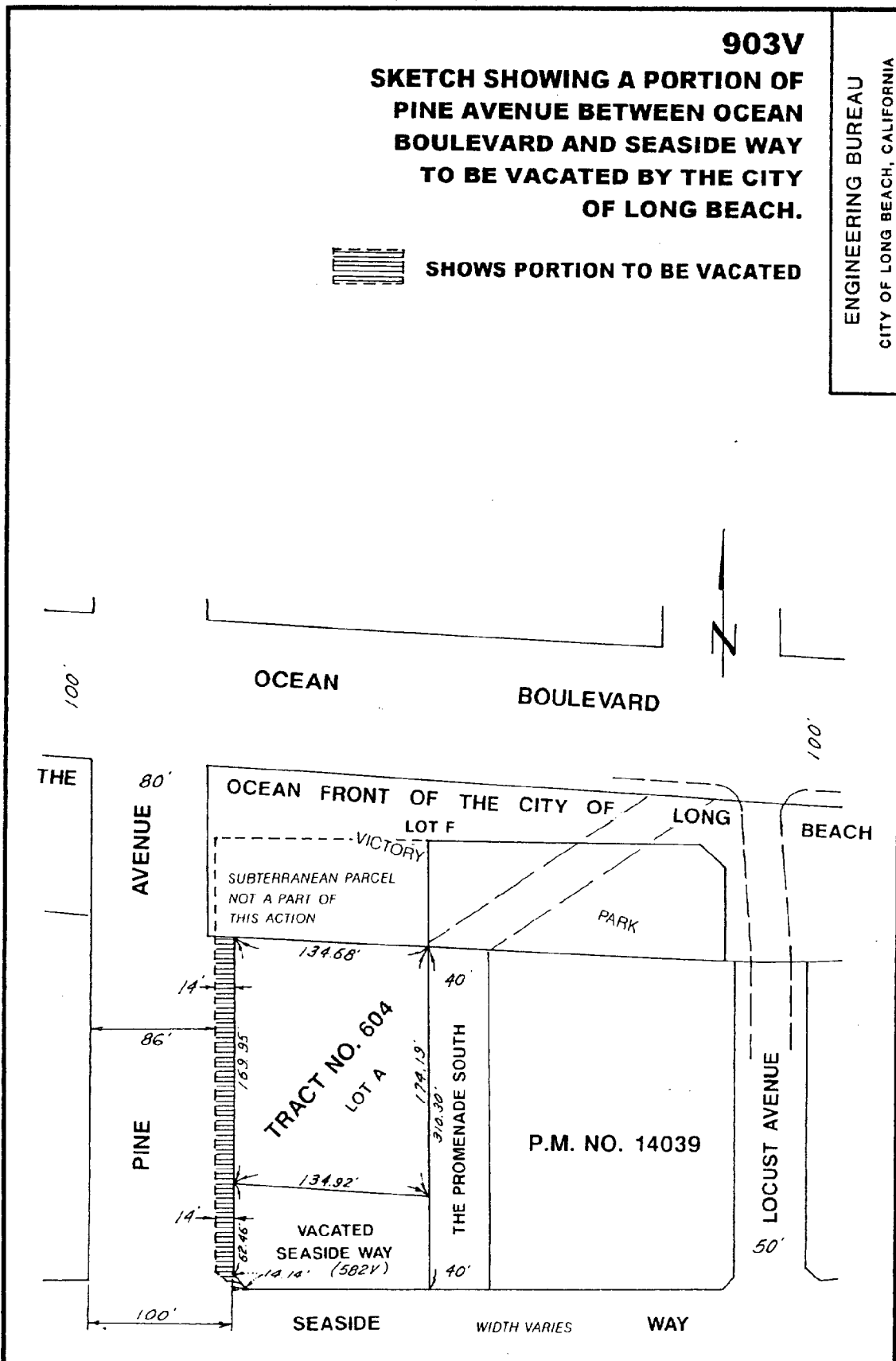
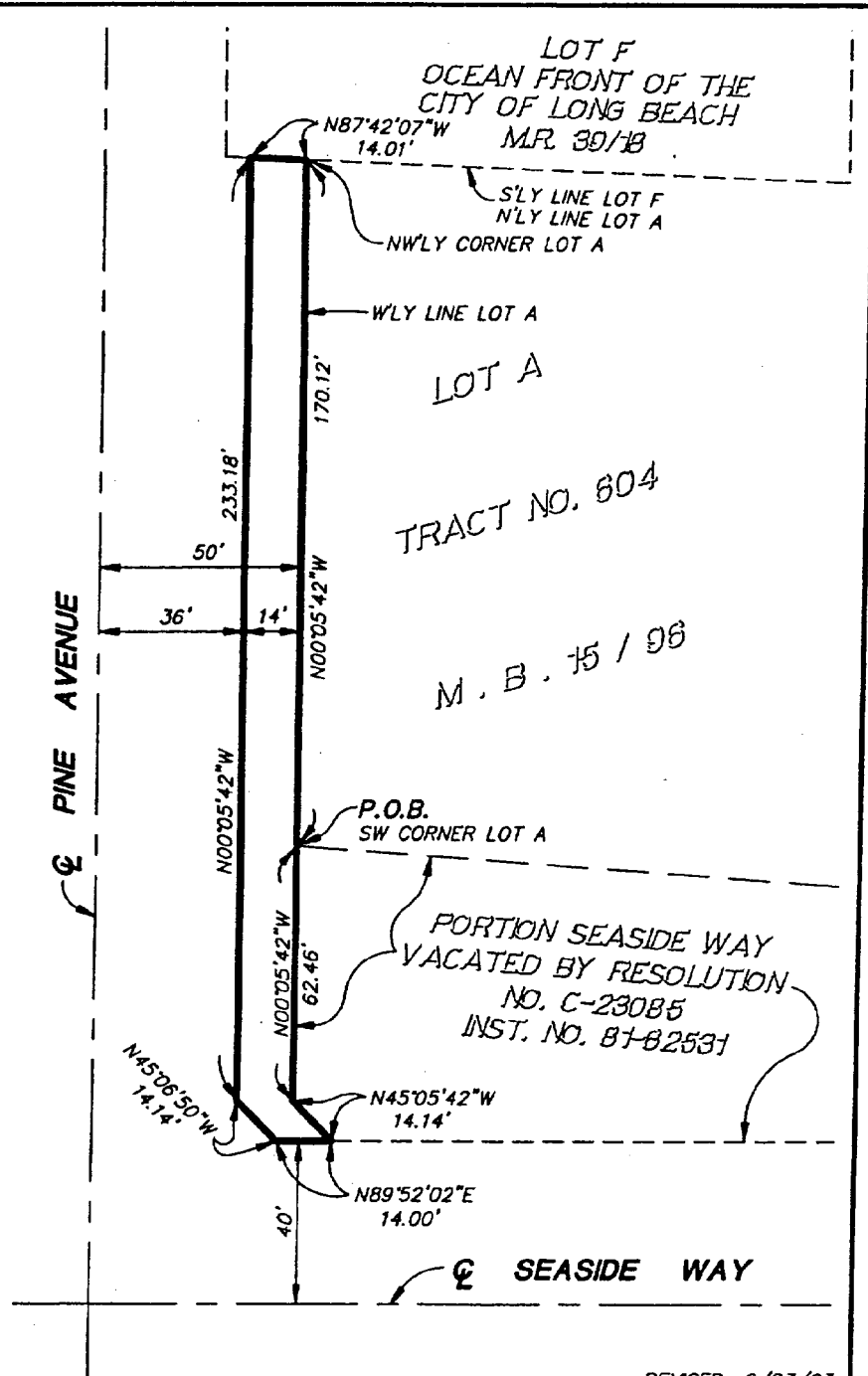


EXHIBIT A
Page 1 of 2

DIETRICH POST REORDER NO. 149320



DETAIL



REVISED: 6/23/03

HUITT-ZOLIARS

Huitt-Zollars, Inc. Irvine
 430 Exchange, Suite 200, Irvine, CA 92602-1309
 Phone (714) 734-5100 Fax (714) 734-5155

SKETCH TO ACCOMPANY
 A LEGAL DESCRIPTION

**STREET
 ABANDONMENT**

SCALE	1"=40'
DRAWN BY	DWM
CHECKED BY	JFG
DATE	6/18/03
JOB NO.	10-1027-01

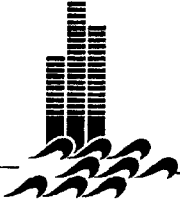
APPROVED BY

[Signature]

6/23/03

R:\10102701\MAP102701\DWG\EX102701.DWG

EXHIBIT A



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

July 17, 2003

CHAIR AND PLANNING COMMISSIONERS
City of Long Beach
California

SUBJECT: Finding of Conformity with the *General Plan* for the Vacation of a Public Right-of-Way

LOCATION: 100 East Ocean Boulevard

APPLICANT: Kam Babaoff
100 East Ocean Investments, LLC

RECOMMENDATION

Find the proposed vacation of the public right-of-way, 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 vacation is herein submitted for such review.

The applicant proposes to develop a 12-story "for sale" condominium project on the vacant southeast corner of Ocean Boulevard and Pine Avenue. This site is the former Jergins Trust Site. The partial vacation of Pine Avenue 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

EXHIBIT C

Page 1 of 3

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 public right-of-way in question is located in Land Use District (LUD) 7, Mixed Use. The intent of LUD 7 is to allow the careful blending of different types of land uses that can serve to save time and energy in transportation and communications. The proposed housing reuse of this property is consistent with the Land Use District.

The Land Use Element also provides direction for seven Activity Centers. The proposed vacation is located in the Downtown Activity Center, which recommends downtown as a multi-purpose activity center of regional significance offering a wide variety of activities that is attractive and exciting during both the daylight and evening hours. A higher density residential building is consistent with and furthers this goal.

Local Coastal Program

The proposed site is located in Subarea 14 in the Downtown Shoreline chapter of the Local Coastal Program (LCP), as dedicated in Exhibit B. In April of 1995, the Downtown Shoreline Chapter of the LCP was substantially amended to provide new guidelines for development. It is clear that redevelopment of the site would present some design challenges due to the topography and narrowness of the site and the fact that it lies behind the dedicated Victory Park, therefore necessitating the partial vacation of Pine Avenue. The vacation does not conflict with any policies or programs in the LCP and the intended residential land use is allowed in Subarea 14.

ENVIRONMENTAL REVIEW

In accordance with the guidelines for implementing the California Environmental Quality Act (CEQA), Negative Declaration 16-03 is before you today for your certification.

IT IS RECOMMENDED THAT THE PLANNING COMMISSION

Find the proposed dedication and vacation of the public right-of-way, as depicted in Exhibit A, in conformance with the *General Plan*.

Respectfully submitted,

EUGENE J. ZELLER
DIRECTOR OF PLANNING AND BUILDING

By: _____

Ira Brown
Planner

Approved: _____

Angela Reynolds
Advance Planning Officer

Conveyance@.doc100E_Ocean
EJZ:AR:IB

Attachment:

1. Exhibit A: Sketches Depicting public Right-of-Way Vacation and Dedication
2. Exhibit B: Downtown Shoreline Policy Plan

CONDITIONS OF APPROVAL

SKETCH NO. 903V

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. A easement will be reserved for the 24-inch storm drain line which lies 40 feet from the existing centerline (4 feet east of the proposed property line). Reservation of the westerly 9 feet of the area to be vacated will provide for 5 feet of City access either side of that utility. If, prior to finalization of the vacation action, any additional facilities are discovered to lie within this area by any of the various public utility agencies, the easement reservations shall be modified to provide for these.
2. The developer shall reconstruct the sidewalk, curb and gutter on the east side of Pine Avenue consistent with the relocation of the property line. A 15-foot wide public sidewalk shall be provided.
3. Any required traffic control modifications are the responsibility of the vacation petitioner, and shall be installed in the public right-of-way under a street improvement permit from the Department of Public Works.
4. 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/ C t

EXHIBIT D

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

RESOLUTION NO. C-

A RESOLUTION OF INTENTION TO VACATE A PORTION OF PINE AVENUE BETWEEN OCEAN BOULEVARD AND SEASIDE WAY, 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 Division 9, Part 3, Chapter 3, 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 Pine Avenue between Ocean Boulevard and Seaside Way in the City of Long Beach, County of Los Angeles, State of California, described more particularly as follows:

Being a portion of Pine Avenue, as shown on Tract No. 604, in the City of Long Beach, County of Los Angeles, State of California, as shown on the map recorded in Book 15, Page 96 of Maps, in the office of the County Recorder of said County described as follows:

Beginning at the Southwest corner of Lot A of said Tract No. 604; thence South 0°05'42" East 62.46 feet along the Southerly prolongation of the Westerly line of said Lot A, said Southerly prolongation also being the Westerly line of that portion of Seaside Way, formerly Seaside Boulevard, vacated by the City of Long Beach Resolution No. C-23085, a certified copy of which recorded August 4, 1981 as Instrument No. 81-778334, in the office of said County Recorder; thence continuing along the Southwesterly line of said Instrument No. 81-778334, South 45°05'42" East 14.14 feet to the Southerly line of said Instrument No. 81-778334; thence South 89°52'02" West 14.00 feet along the Westerly prolongation of said Southerly line; thence leaving said Westerly prolongation North 45°06'50" West 14.14 feet

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

1 to a line parallel with and distant 36.00 feet Easterly of the centerline of Pine
2 Street, being 100.00 feet wide, as shown on said Tract No. 604; thence
3 North 0°05'42" West 233.18 feet along said parallel line to the Southerly line
4 of Lot F, Ocean Front of the City of Long Beach, as shown on the map
5 recorded in Book 39, Page 18 of Miscellaneous Records, in the office of said
County Recorder; thence South 87°42'07" East 14.01 feet along said
Southerly line of Lot F to the Northwesterly corner of said Lot A, Tract No.
604; thence South 0°05'42" East 170.12 feet along said Westerly line of Lot
A to the point of beginning.

6 Reserving unto the City of Long Beach, its successors and assigns, over the
7 westerly 9 feet of the area vacated herein, a perpetual easement and right-
8 of-way, at any time or from time to time, to lay, construct, maintain, operate,
9 repair, renew, replace, change the size of and remove storm drains and
10 appurtenant structures, with the right of ingress to and egress from the same,
11 over, through, under, along and across that certain property vacated
12 herewith, and, pursuant to any existing franchises or renewals thereof, or
13 otherwise, to construct, maintain, operate, replace, remove, renew and
14 enlarge lines of conduits, cables, wires, poles and other convenient
15 structures, equipment and fixtures for the transportation or distribution of
16 electric energy, and incidental purposes including access and the right to
17 keep the property free from inflammable materials, and wood growth, and
18 otherwise protect the same from all hazards in, upon and over the part
19 vacated. Access for maintenance of the above-mentioned facilities must be
20 maintained at all times. No improvements shall be constructed within the
21 easement which would impede the operation, maintenance or repair of said
22 facilities. Construction of any improvements, including changes of grade,
23 shall be subject to the prior written approval of all the City departments and
24 public utilities responsible for the above said facilities.

25 Sec. 2. All of the foregoing real property is shown on the map or plan thereof,
26 attached hereto as Exhibit "A", and on file in the office of the City Clerk, which map or plan
27 is known and referred to as City of Long Beach Department of Public Works Vacation
28 Sketch No. 903V entitled, "SKETCH SHOWING A PORTION OF PINE AVENUE
BETWEEN OCEAN BOULEVARD AND SEASIDE WAY TO BE VACATED BY THE CITY
OF LONG BEACH."

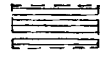
Sec. 3. The City Council hereby fixes the _____ day of _____,
2004 at the hour of _____ m., as the time and the City Council Chamber, Plaza Level
of the City Hall, 333 West Ocean Boulevard, in the City of Long Beach, California, as the
place for hearing all persons interested in or objecting to the proposed vacation.

Sec. 4. 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

903V

SKETCH SHOWING A PORTION OF
PINE AVENUE BETWEEN OCEAN
BOULEVARD AND SEASIDE WAY
TO BE VACATED BY THE CITY
OF LONG BEACH.

ENGINEERING BUREAU
CITY OF LONG BEACH, CALIFORNIA



SHOWS PORTION TO BE VACATED

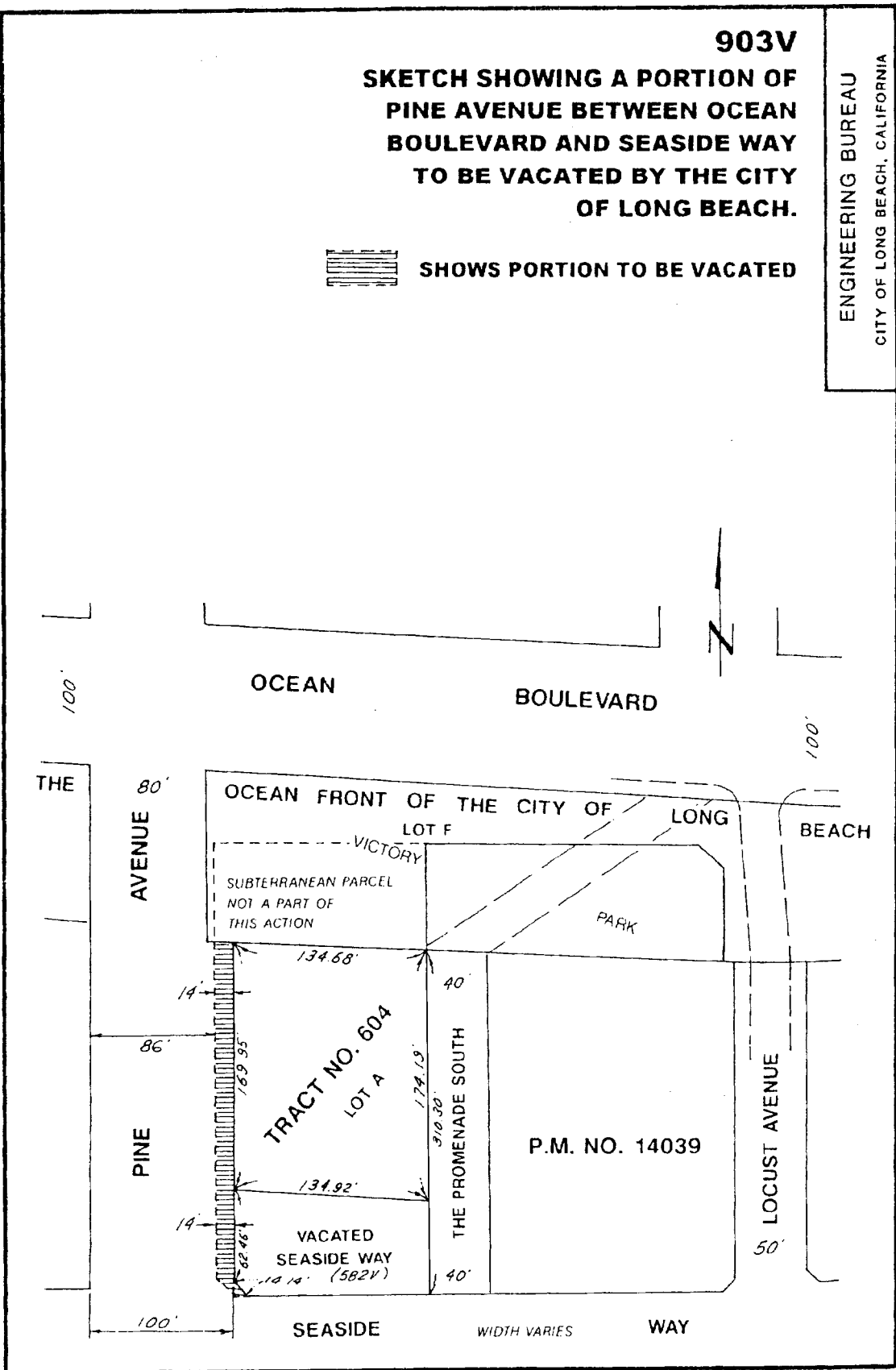
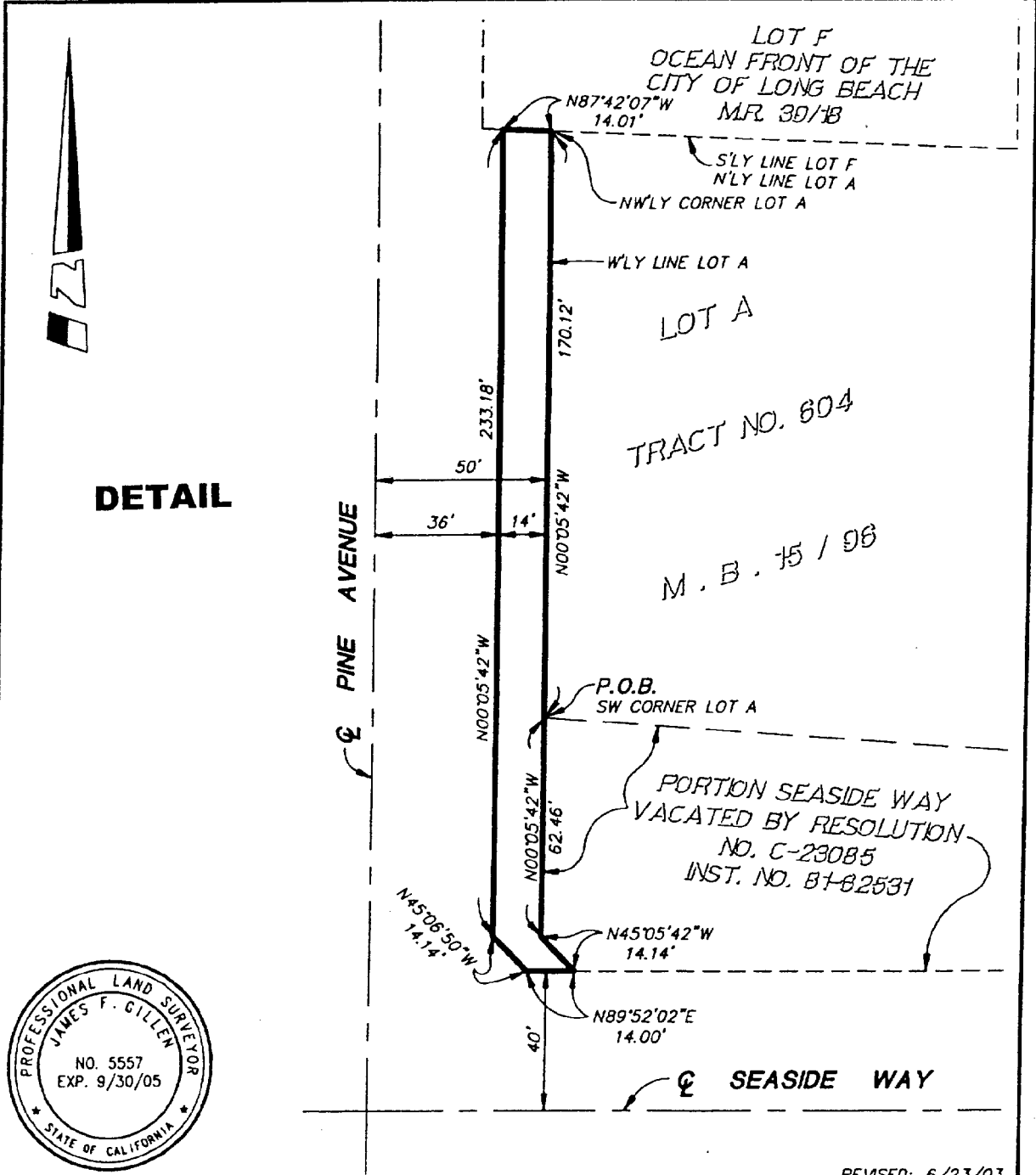


EXHIBIT A
Page 1 of 2

DIETERICH POST REORDER NO 149520



REVISED: 6/23/03

HUITT-ZOLLARS

Huitt-Zollars, Inc. Irvine
430 Exchange, Suite 200, Irvine, CA 92602-1309
Phone (714) 734-5100 Fax (714) 734-5155

APPROVED BY: *[Signature]* 6/23/03

SKETCH TO ACCOMPANY
A LEGAL DESCRIPTION

**STREET
ABANDONMENT**

SCALE	1"=40'
DRAWN BY	DWM
CHECKED BY	JFG
DATE	6/18/03
JOB NO.	10-1027-01

R: \10102701\MAP102701\DWG\EX102701.DWG