



CITY OF LONG BEACH

DEPARTMENT OF PUBLIC WORKS

333 WEST OCEAN BOULEVARD, 9th Floor LONG BEACH, CA 90802 562.570.6383 FAX 562.570.6012

November 18, 2014

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt a Resolution of Intention to vacate the remaining portion of Esther Street located west of Judson Avenue, and set a date for a public hearing on the vacation for December 16, 2014; and adopt and accept the Categorical Exemption CE-12-003 . (District 1)

DISCUSSION

In 1978, the City of Long Beach vacated the westerly portion of Esther Street located west of Judson Avenue. The current request is for the City of Long Beach to vacate the remaining portion of Esther Street located west of Judson Avenue, as depicted in Exhibit A, to allow for more consistent repair and maintenance of this portion of the roadway. Consistent with California land reversion practices, the vacated portion of Esther Street will revert back to the original property owners.

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. Findings are attached as Exhibit B.

The Public Works Department supports this action based on the associated evidence, facts, conditions and findings, establishing that the dedicated right-of-way to be vacated is unnecessary for present or prospective public use. On March 1, 2012, the 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 CE-12-003 was issued for this vacation. The Planning Commission staff report is attached as Exhibit C.

The interested City Departments, including Fire and Police, have reviewed the proposed right-of-way vacation and have no objections to this action. Conditions of approval, satisfying the concerns of the public utility companies are shown on Exhibit D.

The public hearing on this matter to be held on December 16, 2014, will allow all persons interested in, or objecting to, the proposed vacation to appear and be heard.

This matter was reviewed by Deputy City Attorney Linda Vu on April 16, 2013 and by Budget Management Officer Victoria Bell on October 27, 2014.

TIMING CONSIDERATIONS

City Council action is requested on November 18, 2014 in order to set the public hearing date for December 16, 2014.

FISCAL IMPACT

A tentative fee of \$8,780 and a final fee of \$8,780 were deposited into the General Fund (GF) in the Public Works Department (PW). There is no local job impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



ARA MALOYAN, PE
DIRECTOR OF PUBLIC WORKS

APPROVED:



PATRICK H. WEST
CITY MANAGER

P:\CL\ROW Intent to vacate Esther Street CL.doc
AM:GMM:SDJ:st

Attachments:

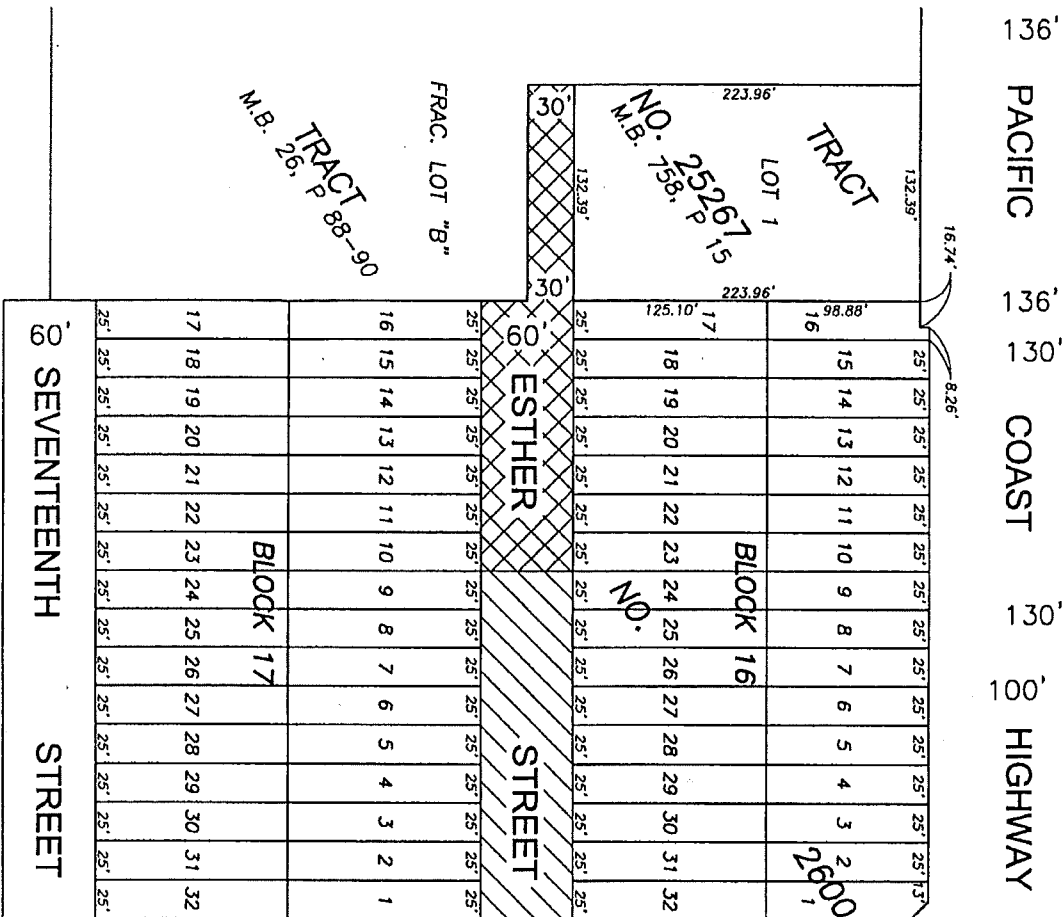
- Exhibit A – Area to Vacated
- Exhibit B – City Council Findings
- Exhibit C – Planning Commission Findings
- Exhibit D – Conditions of Approval

SKETCH 1004V

SKETCH SHOWING
A PORTION OF ESTHER STREET
WEST OF JUDSON AVENUE
TO BE VACATED BY
THE CITY OF LONG BEACH

PORTION OF ESTHER STREET VACATED BY
THE CITY OF LONG BEACH, RESOLUTION
NO. C-22449 RECORDED OCTOBER 12, 1978
AS INSTRUMENT NO. 78-1133628 OF OFFICIAL
RECORDS OF LOS ANGELES COUNTY

PORTION OF ESTHER STREET TO BE VACATED



NOT TO SCALE



CITY COUNCIL FINDINGS

VACATION OF THE EASTERN PORTION OF ESTHER STREET WEST OF JUDSON AVENUE

Reference Sketch No. 1004V

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

This finding is based upon the following subfindings:

- a) On March 1, 2012, 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 12-003 was issued for this project.

EXHIBIT B



CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Boulevard, 5th Floor • Long Beach, CA 90802 • (562) 570-6194 FAX (562) 570-6068

March 1, 2012

CHAIR AND PLANNING COMMISSIONERS
City of Long Beach
California

RECOMMENDATION:

Find the proposed vacation of Esther Street west of Judson Avenue in conformance with the adopted goals and policies of the City's General Plan. (District 1)

APPLICANT: Don L. Tuffli
2202 Esther Street
Long Beach, CA 90811
(Application No. GPC-030112.1)

DISCUSSION

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 public right-of-way vacation is herein submitted for such review.

Esther Street west of Judson Avenue is a dead-end street segment that terminates at the Terminal Island Land Freeway. In 1978, the Tuffli Company vacated the westerly portion of Esther Street to consolidate their operations. The Tuffli Company and related companies own the entire block abutting Esther Street west of Judson Avenue. The applicant proposes to vacate the remainder of Esther Street west of Judson Avenue, as depicted in Exhibit A to allow more consistent repair and maintenance of this roadway.

A finding of conformity 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 and 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:

EXHIBIT C

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 subject site is located within Land Use District Number 9G (General Industry). The 9G District is established in order to maintain a strong industrial employment component in the City's economic base by accommodating more intense industrial operations outdoors. The City's maintenance yard is a consistent use with the 9G Land Use District and this proposed vacation is consistent with the 9G Land Use District.

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. The proposed vacations will not degrade circulation. Moreover, the subject public right-of-way is not referenced in the Transportation Element and the proposed vacation does not contradict any policies or objectives in the Transportation Element. The proposed public right-of-way vacation has been reviewed and approved by the Long Beach Public Works Department after consultation with other interested City departments.

ENVIRONMENTAL REVIEW

In accordance with the guidelines for implementing the California Environmental Quality Act (CEQA), Categorical Exemption number 12-003 was issued for the proposed project (Exhibit B).

Respectfully submitted,



DEREK BURNHAM
PLANNING ADMINISTRATOR



AMY J. BODEK, AICP
DIRECTOR OF DEVELOPMENT SERVICES

AJB:DB:IB

Attachments: Exhibit A – Sketches showing portion to be vacated
 Exhibit B – Categorical Exemption

EXHIBIT C

136' PACIFIC COAST HIGHWAY 100' 130'

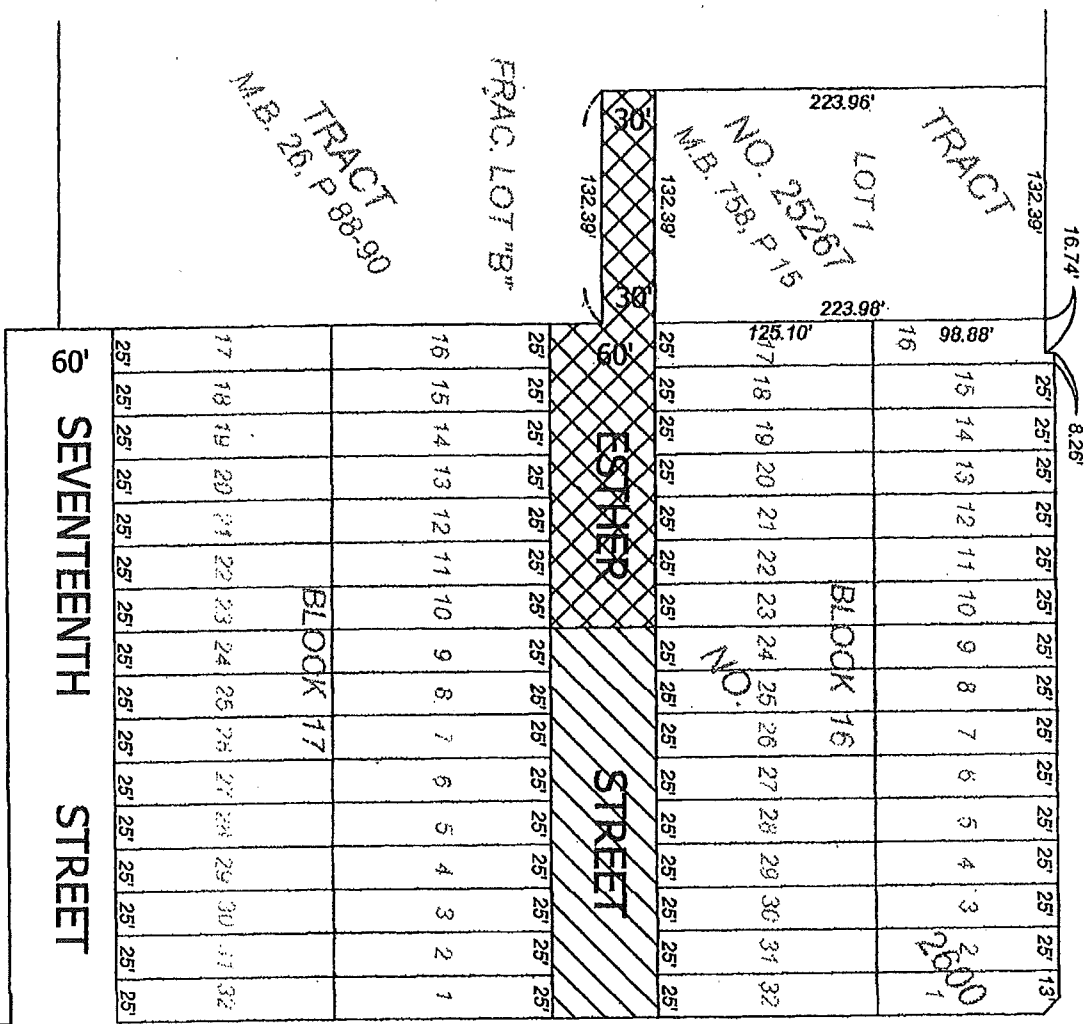




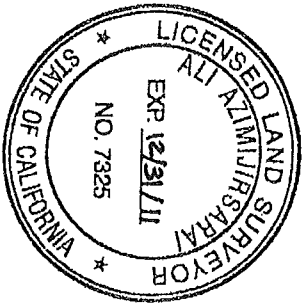
EXHIBIT "B"

SKETCH SHOWING A PORTION OF ESTHER STREET WEST OF JUDSON AVENUE TO BE VACATED BY THE CITY OF LONG BEACH

 PORTION ESTHER STREET VACATED BY CITY OF LONG BEACH RESOLUTION NO. C-22449 RECORDED OCTOBER 12, 1978 AS INSTRUMENT NO. 78-1133628 OF OFFICIAL RECORDS OF LOS ANGELES COUNTY
 PORTION OF ESTHER STREET TO BE VACATED



NOT TO SCALE





CITY OF LONG BEACH NOTICE OF EXEMPTION

DEPARTMENT OF DEVELOPMENT SERVICES
333 W. OCEAN BLVD., 5TH FLOOR, LONG BEACH, CA 90802
(562) 570-6194 FAX: (562) 570-8068
lbs.longbeach.gov

TO: Office of Planning & Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

FROM: Department of Development Services
333 W. Ocean Blvd, 5th Floor
Long Beach, CA 90802

L.A. County Clerk
Environmental Fillings
12400 E. Imperial Hwy. 2nd Floor, Room 2001
Norwalk, CA 90650

Categorical Exemption CE- 12-003

Project Location/Address: See attached Exhibits "A", "B" & "C".

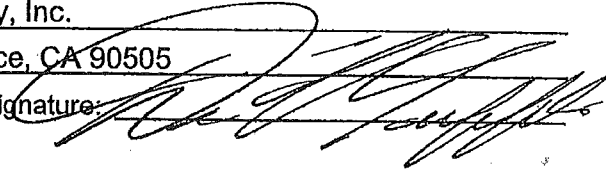
Project/Activity Description: Vacation of remaining/unvacated portion of W. Esther Street west of Judson Avenue in the City of Long Beach.

Public Agency Approving Project: City of Long Beach, Los Angeles County, California

Applicant Name: Don L. Tuffli, President, Tuffli Company, Inc.

Mailing Address: 2780 Skypark Drive, Suite 410, Torrance, CA 90505

Phone Number: (310) 326-5500

Applicant Signature: 

BELOW THIS LINE FOR STAFF USE ONLY

Application Number: 1206-05 Planner's Initials: IB

Required Permits: _____

THE ABOVE PROJECT HAS BEEN FOUND TO BE EXEMPT FROM CEQA IN ACCORDANCE WITH STATE GUIDELINES SECTION _____

SECTION 15301 CLASS 1

Statement of support for this finding: _____

NO CHANGE IN USE OR INTENSITY

ADMINISTRATIVE REVIEW ONLY

Contact Person: _____

IRA BROWN

Contact Phone: _____

562-570-5972

Signature: 

Date: _____

'11 2/13/12

EXHIBIT C

Revised Sept. 2008

CONDITIONS OF APPROVAL

SKETCH NUMBER 1004V

The interested city departments and public agencies reviewed the proposal, and there were no objections to the vacation provided that the following conditions of approval are included:

1. An easement for utility purposes shall be reserved. No buildings may be constructed within the easement area.
2. A Reciprocal Easement Agreement that gives adjacent property owners access to the area must be executed within thirty days after the City vacates the area.
3. The property owners must repair and maintain the roadway to the satisfaction of the Director of Public Works.
4. Applicant must install upgraded handicap access ramps.
5. Applicant must submit a check in the amount of \$4,568.62 to the Department of Public Works by October 3, 2014 for the purchase of three City light poles, conduit and wire located within the vacated area. This amount includes the cost of disconnecting abandoned poles from the street light circuit and the cost of removing approximately 130 linear feet of electrical wire.
6. A sign indicating that the property is private must be posted at the entrance to the vacated street to the satisfaction of the City Engineer within 30 days from the date the vacation is recorded with the Los Angeles County Hall of Records.

The vacation of this alley will not have a significantly adverse environmental effect.

This finding is based upon the following subfindings:

- a) The rights-of-way are not and will not be needed for public use.
- a) In conformance with the California Environmental Quality Act, Categorical Exemption No. CE-12-003 was issued for this project.

EXHIBIT D

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RESOLUTION NO.

A RESOLUTION OF INTENTION TO VACATE A PORTION OF ESTHER STREET WEST OF JUDSON AVENUE, 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 (Section 8320 *et seq.*), 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 Esther Street west of Judson Avenue, in the City of Long Beach, County of Los Angeles, State of California, described more particularly as follows:

That portion of Esther Street as shown on the map of Tract No. 2600, recorded in Book 26, pages 88 through 90 of Maps, in the County of Los Angeles, lying easterly of the southerly prolongation of the easterly line of lot 23, block 16 of said Tract No. 2600 and westerly of the west line of Judson Avenue, 60 feet wide, as shown on said Tract No. 2600.

Reserving an easement for public utility purposes over the above described parcel of land.

1 The above described parcel of land contains 13,500 square
2 feet, more or less.

3 Section 2. All of the foregoing real property is shown on the map or plan
4 thereof, attached hereto as Exhibit "A", and on file in the office of the City Clerk, which
5 map or plan is known and referred to as "City of Long Beach Department of Public Works
6 Vacation Sketch No. 1004V".

7 Section 3. The City Council hereby fixes the 16th day of December, 2014
8 at the hour of 5:00 p.m., as the time and the City Council Chamber, Plaza Level of the
9 City Hall, 333 West Ocean Boulevard, in the City of Long Beach, California, as the place
10 for hearing all persons interested in or objecting to the proposed vacation.

11 Section 4. The City Council hereby directs that notice of said hearing on
12 this proposed street vacation be published for at least two (2) successive weeks prior to
13 the hearing and in the manner provided by Section 8322 of the State Streets and
14 Highways Code.

15 Section 5. The City Council hereby directs that notice of this street
16 vacation be posted conspicuously along the street proposed to be vacated at least two
17 (2) weeks before the date set for hearing and in the manner provided by Section 8323 of
18 the State Streets and Highways Code.

19 Section 6. This resolution shall take effect immediately upon its adoption
20 by the City Council, and the City Clerk shall certify to the vote adopting this resolution.

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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 _____, 20__ by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk

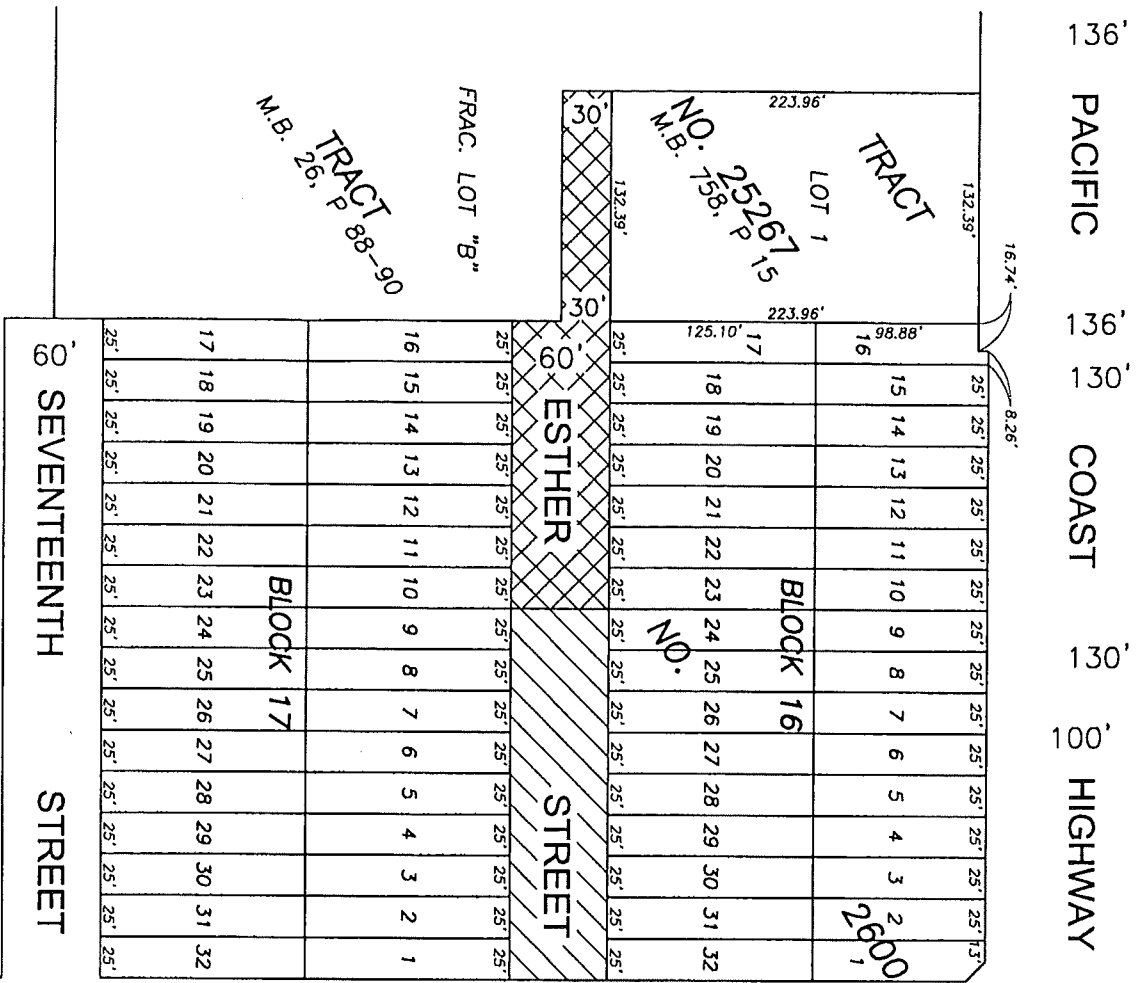
OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

SKETCH 1004V

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 A PORTION OF ESTHER STREET
 WEST OF JUDSON AVENUE
 TO BE VACATED BY
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