



# CITY OF LONG BEACH

# C-6

## DEPARTMENT OF PUBLIC WORKS

333 WEST OCEAN BOULEVARD • LONG BEACH, CA 90802 • (562) 570-6383 • FAX (562) 570-6012

January 13, 2009

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

### RECOMMENDATION:

Adopt a resolution of intention to vacate a portion of Lakewood Boulevard north of the Traffic Circle adjacent to 1919 Lakewood Boulevard and set a date for a public hearing on the vacation for February 10, 2009. (District 4)

### DISCUSSION

The owner of the Circle Audi automobile dealership at 1919 Lakewood Boulevard is in the process of remodeling that facility. It is proposed that the secondary roadway separating Circle Audi from Lakewood Boulevard be eliminated and replaced with a more direct connection to Lakewood Boulevard. This street improvement provides a safer intersection design, returns unnecessary public right-of-way to private use, and is supported by the City Traffic Engineer. It is proposed that the area of the old roadway shown on Exhibit A be vacated. Under California law, vacated street areas typically revert in ownership to the adjoining property.

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. Circle Audi proposes to reconstruct the street adjacent to their facility as shown on the attached Exhibit B. This design has been approved by the City Traffic Engineer.
2. On June 5, 2008, the City of Long Beach Planning Commission approved plans for a new showroom, service garage and outdoor display area, and determined that the subject vacation of 168 square feet of Lakewood Boulevard frontage road 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 08-005 was issued for this project. The Planning Department staff report is included as Exhibit C.

**DIRECTOR'S OFFICE  
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**FLEET SERVICES**  
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Long Beach, CA 90813  
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Fax (562) 570-2729

HONORABLE MAYOR AND CITY COUNCIL

January 13, 2009

Page 2

3. Upon satisfactory conclusion of the public hearing, the vacation petitioner will be given permission to complete the roadway improvements shown on Exhibit B. After the roadway improvements are complete to the satisfaction of the City Engineer, a recommendation to adopt a resolution ordering the area proposed to be vacated will be brought before the City Council.
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 public hearing on this matter to be held on February 10, 2009, will allow all persons interested in, or objecting to, the proposed vacation to appear and be heard. The proposed resolution of intention to vacate was prepared by Deputy City Attorney Linda Trang on December 8, 2009.

This matter was reviewed by Deputy City Attorney Linda Trang on December 8, 2008 and Budget Management Officer Victoria Bell on December 23, 2008.

TIMING CONSIDERATIONS

City Council action is requested on January 13, 2009, to allow the reconstruction of the street to proceed along with the redevelopment of Circle Audi.

FISCAL IMPACT

A vacation processing fee of \$2,000 was deposited to the General Fund (GP) in the Department of Public Works (PW).

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

  
MICHAEL P. CONWAY  
DIRECTOR OF PUBLIC WORKS

APPROVED:

  
PATRICK H. WEST  
CITY MANAGER

MPC:MAC:GMM:sc  
P\CL\ROW- Circle Audi res of intention to vacate.doc

Attachments

SCALE: 1"=80'

SHEET 1 OF 1

0' 40' 80' 160'



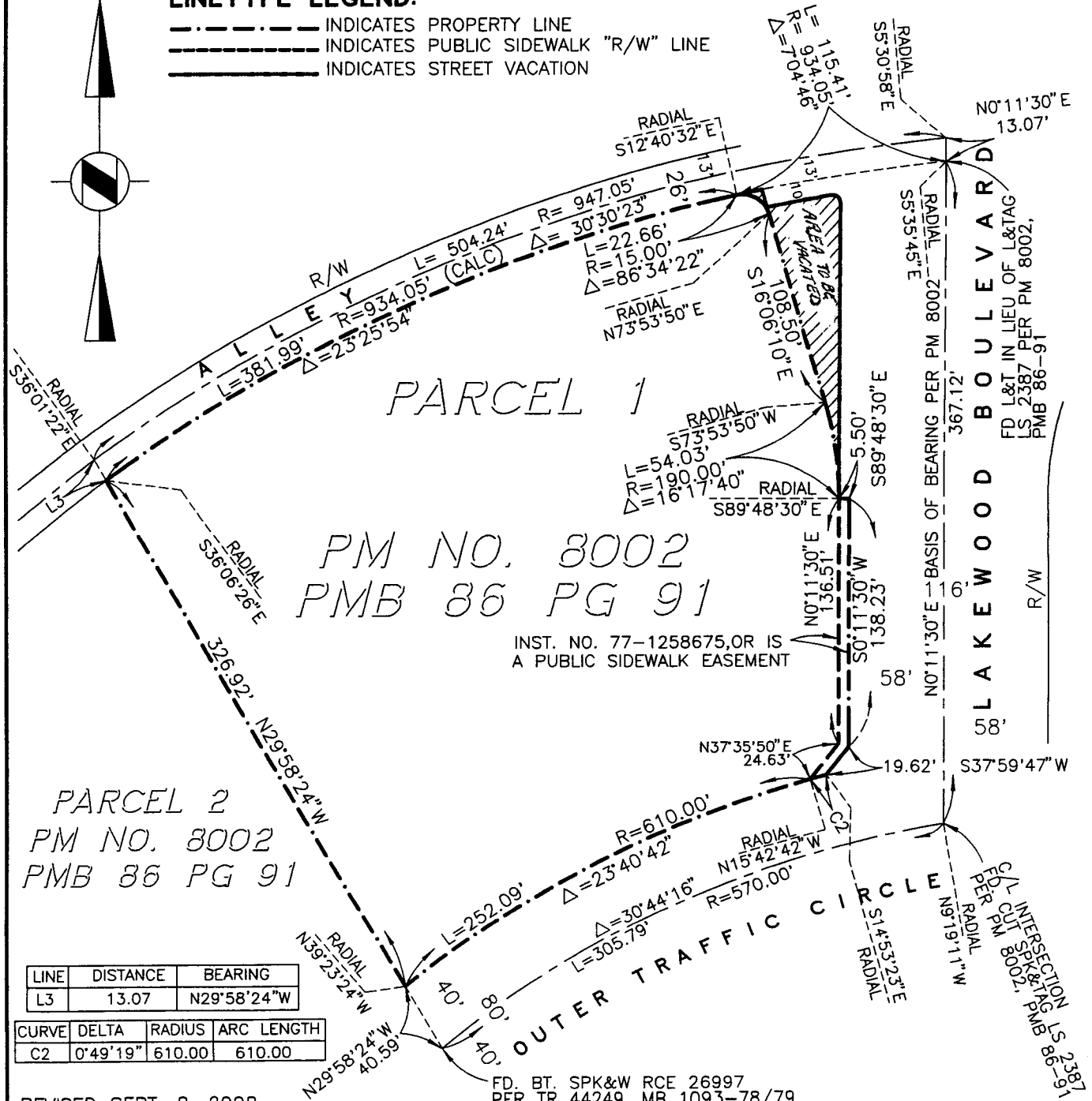
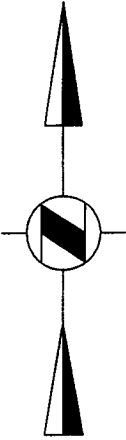
SKETCH NO. 988V

SKETCH SHOWING A PORTION OF LAKEWOOD BOULEVARD NORTH OF THE TRAFFIC CIRCLE TO BE VACATED BY THE CITY OF LONG BEACH.

PAGE 1 OF 2 - VICINITY

LINETYPE LEGEND:

- INDICATES PROPERTY LINE
- - - - - INDICATES PUBLIC SIDEWALK "R/W" LINE
- ==== INDICATES STREET VACATION



LINE	DISTANCE	BEARING
L3	13.07	N29°58'24"W

CURVE	DELTA	RADIUS	ARC LENGTH
C2	0°49'19"	610.00	610.00

REVISED SEPT. 8, 2008

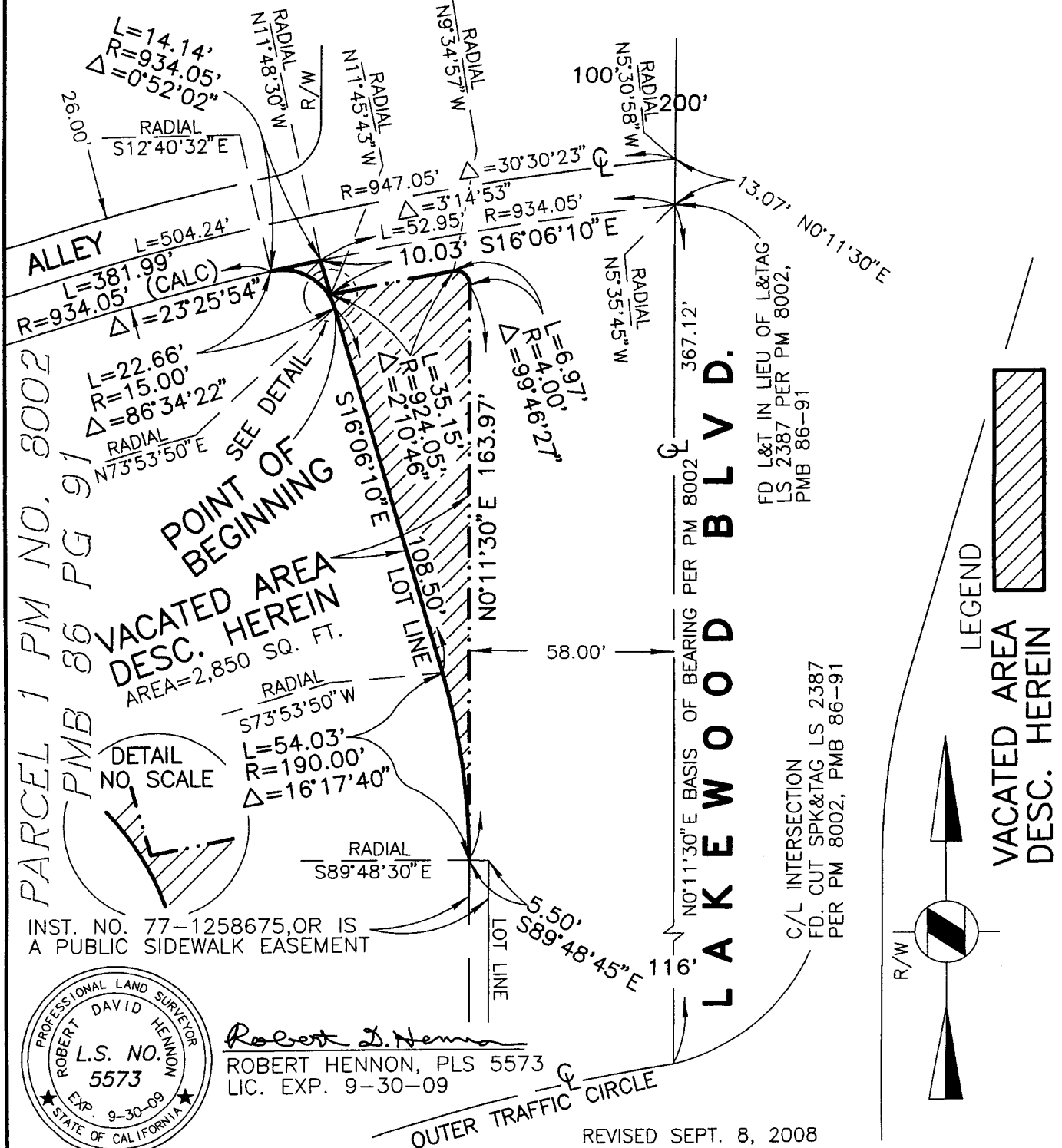
FD. BT. SPK&W RCE 26997 PER TR 44249, MB 1093-78/79

DATE: AUG 6, '08
THOM. GDE: 796-A4
FILE: 2603EX3.DWG
PROJECT NO: 2603

EXHIBIT A  
Page 1 of 2

SCALE: 1"=40'  
 SHEET 1 OF 1  
 0' 20' 40'

SKETCH NO. 988V  
 PAGE 2 OF 2

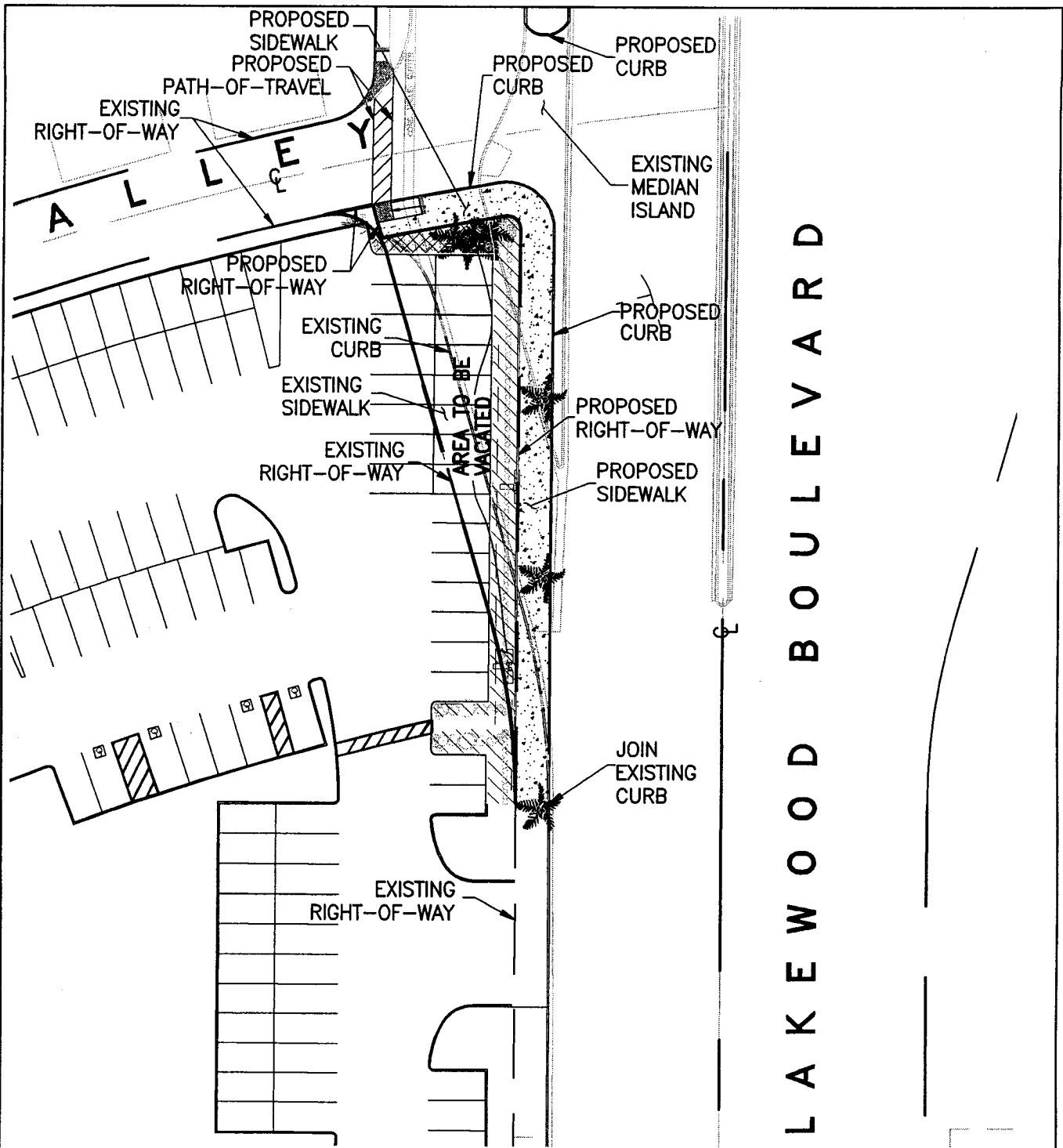



*Robert D. Hennon*  
 ROBERT HENNON, PLS 5573  
 LIC. EXP. 9-30-09

REVISED SEPT. 8, 2008

DATE: AUG. 6, 2008
THOM. GDE: 796-A4
FILE: 2603EX2.DWG
PROJECT NO: 2603

**EXHIBIT A**  
**Page 2 of 2**



SHEET REFERENCE NUMBER:  SHEET 1 OF 1	CIRCLE AUDI	Designed by: TW	Date: 07-29-08	REV: 08-26-08	 <b>kpff</b> <i>Consulting Engineers</i> 15800 Von Karman 10th Floor Irvine, Ca 92612 (949) 252-1022 Fax (949) 252-9082
		Design File no.:			
		Reviewed by:	File name:		
		Submitted by:	Plot Date: Dwg scale:		

**EXHIBIT B**



# CITY OF LONG BEACH

#1

LONG BEACH DEVELOPMENT SERVICES

333 West Ocean Boulevard • Long Beach, CA 90802 • (562) 570-6357 FAX (562) 570-6068

June 5, 2008

CHAIRMAN AND PLANNING COMMISSIONERS  
City of Long Beach  
California

**RECOMMENDATION:** Approve finding of conformity with the adopted General Plan for an alley vacation at 1919 Lakewood Boulevard. (Council District 4)

**APPLICANT:** Circle Audi of Long Beach  
c/o Chris Clevely  
1919 Lakewood Boulevard  
Long Beach, CA

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

Circle Audi of Long Beach has received Planning Commission approval to replace their existing automobile dealership with a new showroom, service garage and outdoor display area on February 21, 2008. The applicant is further requesting the vacation of a 168-foot segment of the Lakewood Boulevard frontage road adjacent to their property and the reconfiguration of the intersection between the frontage road and Lakewood Boulevard (see Exhibit A & B). The purpose of this request is to improve traffic safety by creating a 90 degree intersection that will improve visibility for persons turning onto Lakewood Boulevard. The vacation benefits the automobile dealership by allowing for a larger outdoor display area. Should the City Council approve this public right-of-way, the applicant will submit revised site and landscape plans for the review and approval of the Director of Development Services. This public right-of-way vacation has been reviewed and approved by the Long Beach Department of Public Works and Fire Department.

**EXHIBIT C**  
**Page 1 of 2**

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:

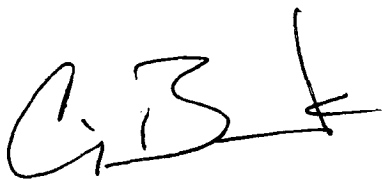
General Plan Consistency Findings

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 Land Use Element also includes seven activity centers that provide more specific land use direction. The subject site is located within Land Use District No. 7 (Mixed Use) and the Alamitos Traffic Circle Activity Center. As explained in the Alamitos Traffic Circle Activity Center, the land use mix should emphasize medical facilities, offices and automobile sales. Moreover, the plan calls for strengthening the current mix of retail, commercial, office and high density residential uses. The proposed public right-of-way vacation will facilitate the improvement of this site and strengthen our employment base. Therefore, the proposed vacation is consistent with the Land Use Element.

Environmental Review

In accordance with the guidelines for implementing the California Environmental Quality Act (CEQA), Categorical Exemption number 08-005 was issued (Exhibit C).

Respectfully submitted,



CRAIG BECK  
DIRECTOR OF DEVELOPMENT SERVICES

CB:GC:JG:IB

Attachment: Exhibit A – Sketch of Public Right-of-Way Vacation  
Exhibit B – Photo-Diagram  
Exhibit C – CE 08-005

## CONDITIONS OF APPROVAL

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### SKETCH NO. 988V

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 a water line. No structures may be constructed or installed over the easement area.
- 2) Lakewood Boulevard, its frontage road and the alley intersection adjacent to 1919 Lakewood Boulevard shall be reconstructed by the property owner/vacation petitioner at their expense, according to plans reviewed and approved by the City of Long Beach and pursuant to a street improvement permit issued by the Department of Public Works, to the satisfaction of the Director of Public Works. As a part of this project:
  - a) Any publicly-owned street light standards within the street area to be vacated must be relocated into non-vacated public right-of-way according to plans reviewed and approved by the City, or returned to City Light and Power. The power supply circuits supplying the street lighting system must be modified as necessary to the satisfaction of the Director of Public Works.
  - b) Any traffic control modifications necessitated by this project are the responsibility of the vacation petitioner.
- 3) The vacation petitioner shall at its cost 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

## EXHIBIT D



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 OF INTENTION TO VACATE A PORTION OF LAKEWOOD BOULEVARD NORTH OF THE TRAFFIC CIRCLE ADJACENT TO 1919 LAKEWOOD BOULEVARD, 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 Lakewood Boulevard north of the traffic circle adjacent to 1919 Lakewood Boulevard, in the City of Long Beach, County of Los Angeles, State of California, described more particularly as follows:

That portion of Lakewood Boulevard of varied width as shown on map of Parcel Map No. 8002 in the City of Long Beach, County of Los Angeles, State of California as per map filed in Book 86 page 91 of parcel maps in the Office of the County Recorder of said County described as follows:

Beginning at the northerly terminus of that certain course in

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the easterly line of parcel 1 of said parcel map shown on said map as having a bearing and length of S16°06'10"E 108.46 feet; thence along said course and said easterly line, S16°06'10"E 108.50 feet to the beginning of a tangent curve in said easterly line, concave westerly having a radius of 190.00 feet; thence southerly along said curve and said easterly line, through a central angle of 16°17'40" an arc distance of 54.03 feet to a tangent point of cusp with a tangent line parallel with and lying 58.00 feet westerly of, measured at right angles from, the centerline of Lakewood Boulevard as shown on said parcel map, said line having a bearing of N0°11'30"E, the radial bearing of said curve at said tangent point of cusp being S89°48'30"E; thence along said tangent line N0°11'30"E 163.97 feet to the beginning of a tangent curve concave southwesterly and having a radius of 4.00 feet, said curve being tangent at its westerly terminus with a compound curve concentric with and lying 10.00 feet southeasterly of the northeasterly extension of the curving northwesterly line of said parcel 1 of said parcel map, said compound curve being concave southeasterly and having a radius of 924.05 feet, thence northerly, northwesterly, and westerly along said tangent curve having a radius of 4.00 feet through a central angle of 99°46'27" an arc length of 6.97 feet to said tangent compound curve concave southeasterly and having a radius of 924.05 feet, a radial bearing of said curve at said tangent point of compound curvature being N9°34'57"W; thence westerly and southwesterly along said tangent compound curve through a

1 central angle of 2°10'46" an arc length of 35.15 feet to a  
2 point on the northwesterly prolongation of the northerly line  
3 of that certain course in the easterly line of said parcel 1  
4 having a bearing of S16°06'10"E as shown on said parcel  
5 map, a radial bearing of last said curve at said point being  
6 N11°45'43"W; thence along said northwesterly prolongation  
7 N16°06'10"W 10.03 feet to a nontangent curve being said  
8 northeasterly extension of the curving northwesterly line of  
9 said parcel 1, said curve being concave southeasterly and  
10 having a radius of 934.05 feet, a radial bearing of said curve  
11 at said point bears N11°48'30"W; thence southwesterly  
12 along said curve through a central angle of 0°52'02" an arc  
13 length of 14.14 feet to tangent point of cusp with that curving  
14 northeasterly line of said parcel 1 being a curve concave  
15 southwesterly and having a radius of 15.00 feet, a radial  
16 bearing of both said curves at said point of cusp being  
17 S12°40'32"E; thence easterly and southeasterly along said  
18 15.00 foot radius curve through a central angle of 86°34'22"  
19 an arc distance of 22.66 feet to the point of beginning.

20 Containing an area of 2,850 square feet, more or less.

21  
22 Reserving unto the City of Long Beach, its successors and  
23 assigns a perpetual easement and right-of-way, at any time  
24 or from time to time, to lay, construct, maintain, operate,  
25 repair, renew, replace, change the size of and remove the  
26 existing utility lines, including, but not limited to water lines  
27 and all the necessary gates, valves, fittings, hydrants and  
28 appurtenances for the transportation of water, with the right

1 of ingress to and egress from the same, over, through,  
2 under, along and across that certain property vacated  
3 herewith. Access for maintenance of the above-mentioned  
4 facilities must be maintained at all times. No improvements  
5 shall be constructed within the easement which would  
6 impede the operation, maintenance or repair of said  
7 facilities. Construction of any improvements, including  
8 changes of grade, shall be subject to the prior written  
9 approval of all the City departments and public utilities  
10 responsible for the above said facilities.  
11

12 Section 2. All of the foregoing real property is shown on the map or plan  
13 thereof, attached hereto as Exhibit "A", and on file in the office of the City Clerk, which  
14 map or plan is known and referred to as "City of Long Beach Department of Public Works  
15 Vacation Sketch No. 988V".

16 Section 3. The City Council hereby fixes the \_\_\_\_\_ day of  
17 \_\_\_\_\_, 200\_ at the hour of \_\_\_\_\_ p.m., as the time and the City  
18 Council Chamber, Plaza Level of the City Hall, 333 West Ocean Boulevard, in the City of  
19 Long Beach, California, as the place for hearing all persons interested in or objecting to  
20 the proposed vacation.

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

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

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

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

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

SCALE: 1"=80'

SHEET 1 OF 1

0' 40' 80' 160'



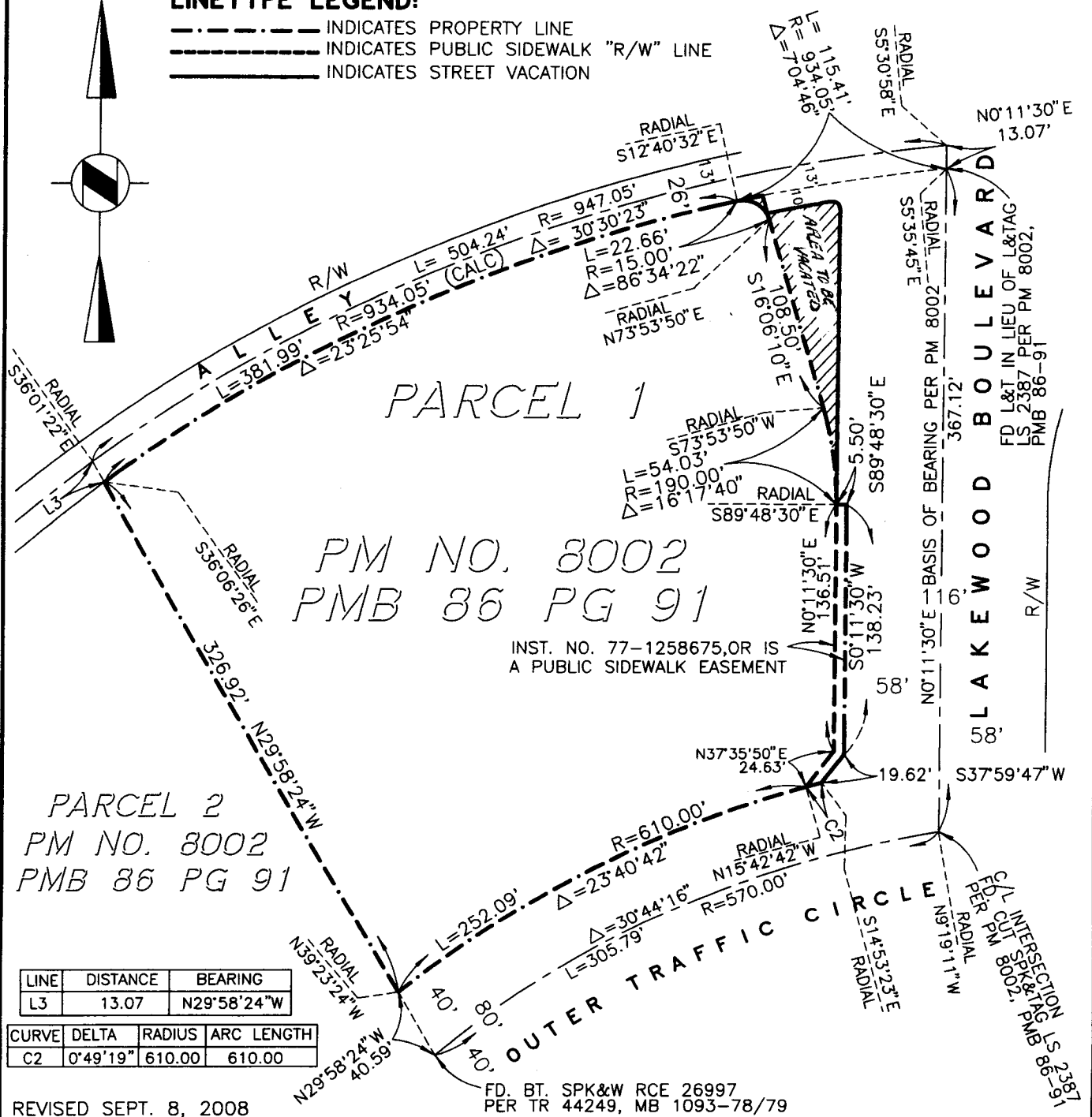
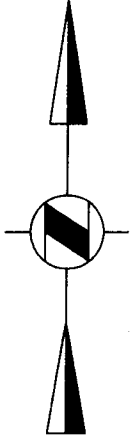
SKETCH NO. 988V

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PAGE 1 OF 2 - VICINITY

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- - - - - INDICATES PUBLIC SIDEWALK "R/W" LINE
- INDICATES STREET VACATION



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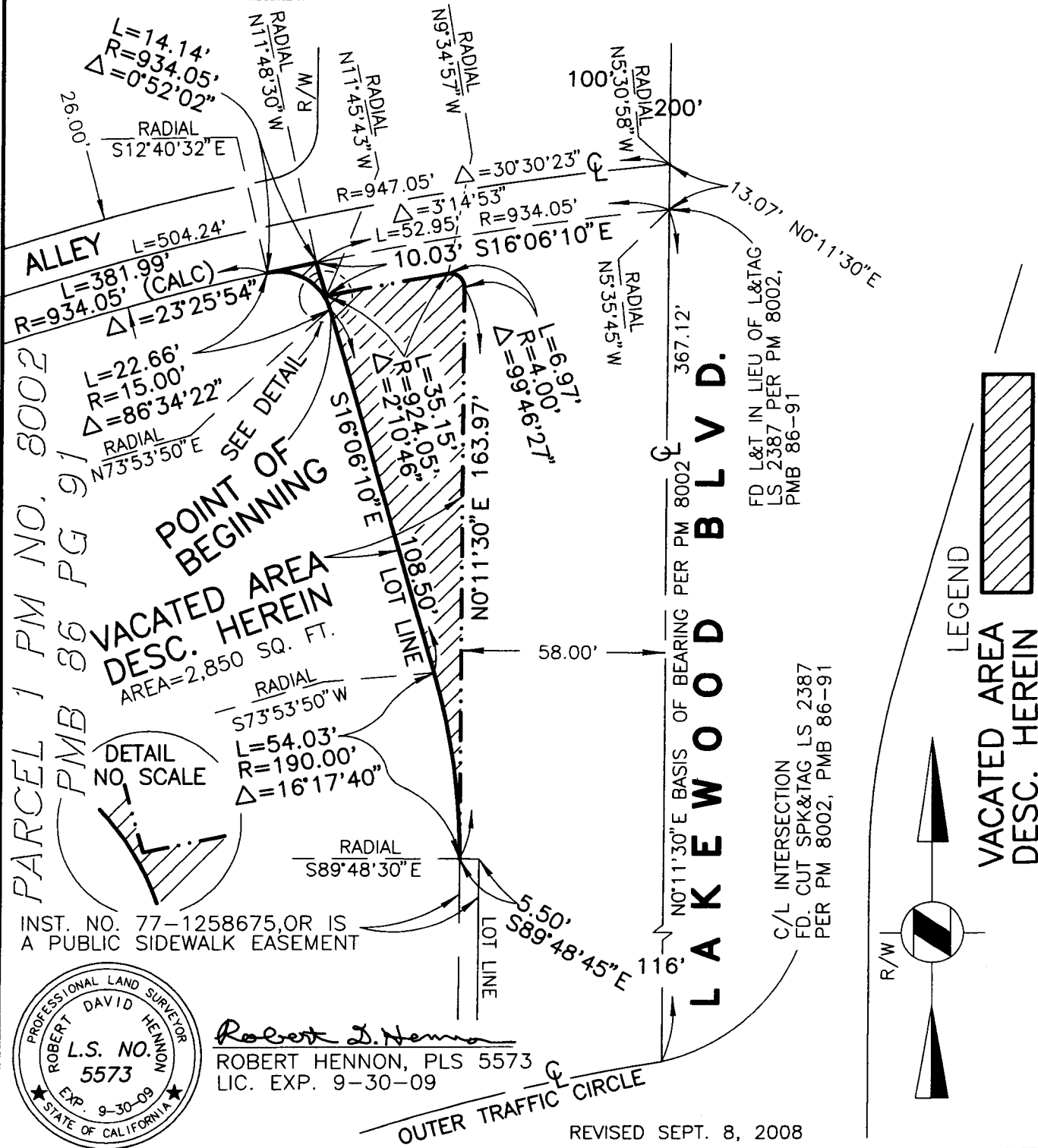
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EXHIBIT A  
Page 1 of 2

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**SKETCH NO. 988V**  
**PAGE 2 OF 2**



DATE: AUG. 6, 2008  
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**EXHIBIT A**  
**Page 2 of 2**