



CITY OF LONG BEACH

H-3

DEPARTMENT OF PUBLIC WORKS

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

December 1, 2009

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 alley west of Long Beach Boulevard and south of Anaheim Street. (District 1)

DISCUSSION

META Housing, developers of a mixed-use housing and retail project addressed as 1235 Long Beach Boulevard, request the vacation of a portion of the alley that crosses their project site. A diagram showing the alley to be vacated, the location of a proposed new branch alley, and the area to be dedicated as additional right-of-way along Anaheim Street is shown on Exhibit A.

On November 3, 2009, the City Council adopted Resolution No. RES-09-0130, declaring its intention to vacate the subject right-of-way, and set December 1, 2009, as the date for the public hearing. A copy of the November 3 City Council letter is attached as Exhibit B.

The proposed resolution was prepared by Deputy City Attorney Linda Trang on October 6, 2009.

This matter was reviewed by Deputy City Attorney Linda Trang on October 6, 2009 and by Budget and Performance Management Bureau Manager David Wodynski on November 11, 2009.

TIMING CONSIDERATIONS

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

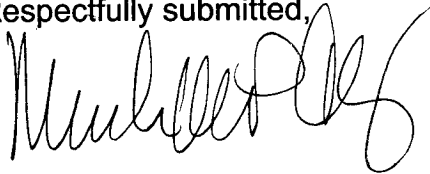
FISCAL IMPACT

A final vacation processing fee of \$3,693 was deposited to the General Fund (GP 100) in the Department of Public Works (PW).

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



MICHAEL P. CONWAY
DIRECTOR OF PUBLIC WORKS

MPC:MAC:GMM:SC
P:\CL\ROW vac 1235 LB Blvd Meta Houseing final CL.doc

Exhibit A – Vicinity Map
Exhibit B – City Council Letter 11/023/09
Resolution

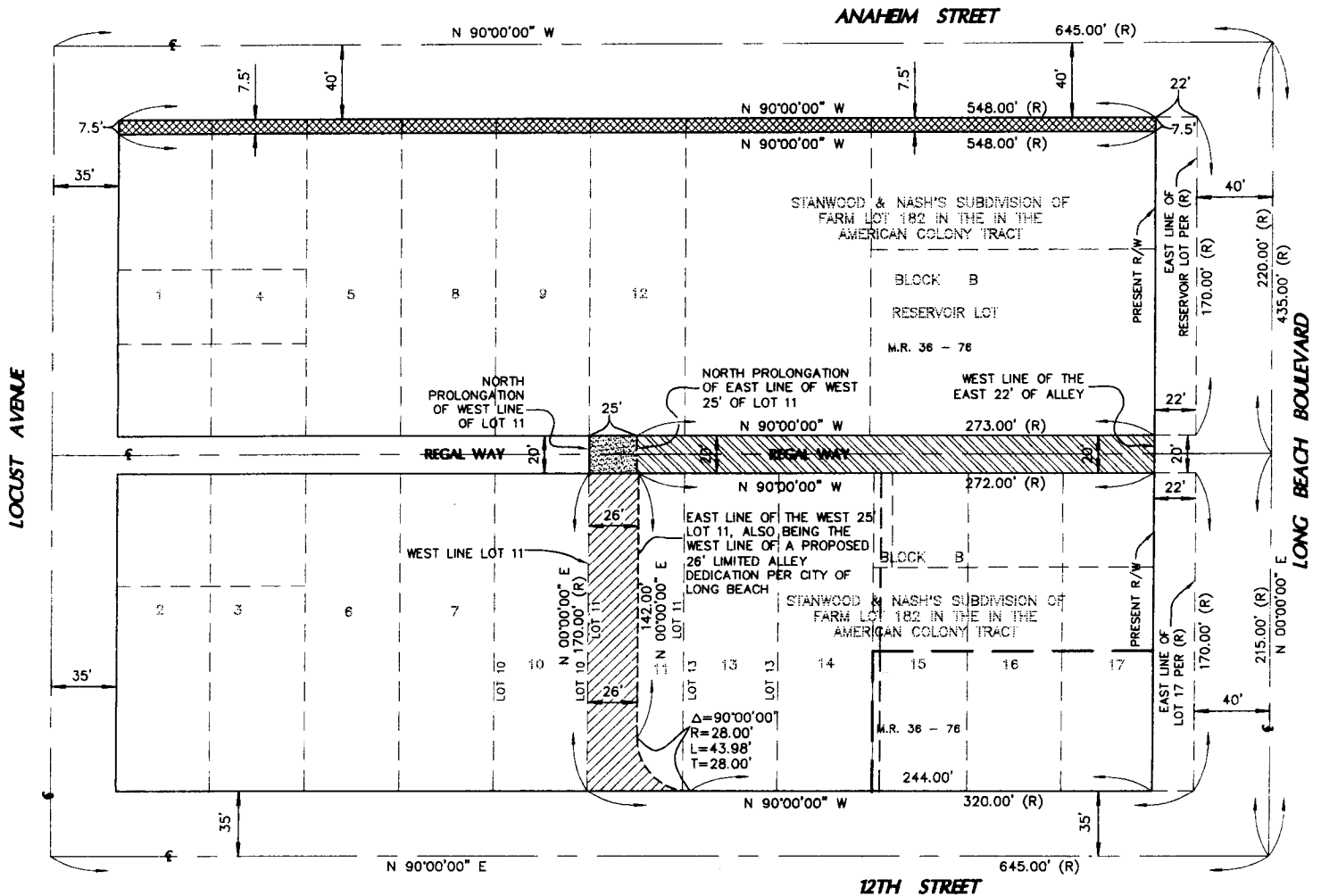
APPROVED:







PATRICK H. WEST
CITY MANAGER

CITY OF LONG BEACH, CALIFORNIA

LONG BEACH & ANAHEIM PROJECT



-  REGAL WAY VACATION
-  LIMITED DEDICATION AREA BELOW ELEVATION 53.00'
-  LIMITED DEDICATION AREA ABOVE ELEVATION 36.50'
-  LIMITED VACATION AREA BELOW ELEVATION 36.50'

LEGEND:

R = BLOCK B, STANWOOD & NASH SUBDIVISION M.R. BK. 36 PG. 76



NOT TO SCALE



707 WILSHIRE BOULEVARD, 40TH FLOOR,
LOS ANGELES, CA 90017
213 624 2661 TEL
213 614 1863 FAX

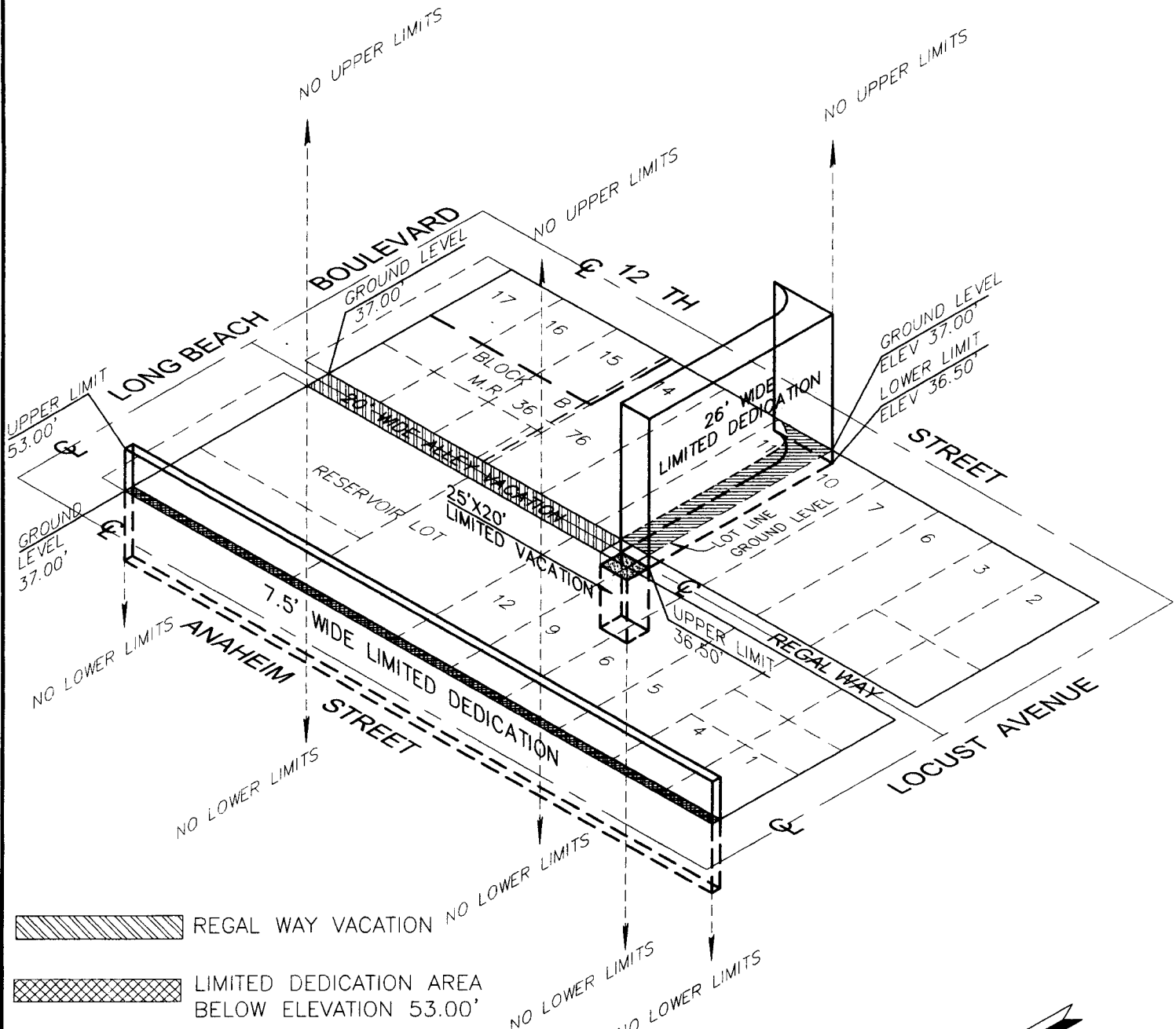
CIVIL ENGINEERING
SURVEYING+MAPPING
LAND DEVELOPMENT

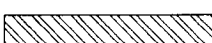



**VICINITY MAP FOR STREET VACATION AND DEDICATION
BLOCK B, STANWOOD AND NASH SUBDIVISION
LONG BEACH, CA**

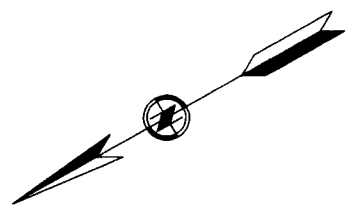
CITY OF LONG BEACH, CALIFORNIA

LONG BEACH & ANAHEIM PROJECT

AIRSPACE EXHIBIT



-  REGAL WAY VACATION
-  LIMITED DEDICATION AREA BELOW ELEVATION 53.00'
-  LIMITED DEDICATION AREA ABOVE ELEVATION 36.50'
-  LIMITED VACATION AREA BELOW ELEVATION 36.50'



NOT TO SCALE



707 WILSHIRE BOULEVARD, 40TH FLOOR,
LOS ANGELES, CA 90017
213 624 2661 TEL
213 614 1863 FAX

CIVIL ENGINEERING
SURVEYING+MAPPING
LAND DEVELOPMENT

**VICINITY MAP FOR STREET VACATION AND DEDICATION
BLOCK B, STANWOOD AND NASH SUBDIVISION
LONG BEACH, CA**



CITY OF LONG BEACH

~~C-16~~

DEPARTMENT OF PUBLIC WORKS
333 West Ocean Boulevard 9th Floor • Long Beach, CA 90802 • (562) 570-6383 • Fax (562) 570-6012

November 3, 2009

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt a resolution of intention to vacate a portion of the alley west of Long Beach Boulevard and south of Anaheim Street, request the City Manager or designee accept easement deeds for the dedication of a new branch alley and additional street right-of-way along Anaheim Street, authorize a quitclaim of the reserved utility easement upon satisfactory relocation of all public utilities, and set a date for a public hearing on the vacation for December 1, 2009. (District 1)

DISCUSSION

The META Housing Group, developers of a mixed-use housing and retail project addressed as 1235 Long Beach Boulevard, request the vacation of a portion of the alley that crosses their project site. A diagram showing the alley to be vacated, the location of a proposed new branch alley, and the area to be dedicated as additional right-of-way along Anaheim Street is shown on Exhibit A. Note that the 20-foot by 25-foot alley portion at the intersection of the new branch alley is vacated below an elevation of 36.50 feet only, below the alley surface, as shown. Below the alley surface, a subterranean parking garage is to be constructed.

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 project summary and site development plan is shown on Exhibit B.
2. The property comprising the project site is under the ownership of 4 entities, as shown on Exhibit C. The vacation of this alley will not result in any "landlocked" lots.
3. The only portion of the alley in use is adjacent to the five parcels that are not a part of this project, addressed as 1232 Locust Avenue and 153 – 209 East 12th Street.

EXHIBIT B
Page 1 of 3

Through alley access to these properties will be maintained by the construction and dedication of the new branch alley as shown on Exhibit A.

4. A subterranean parking garage is to be built within the project area. While a public utility easement must be reserved for existing public utilities with the resolution vacating, this easement must be quitclaimed once the utility facilities have been removed at the beginning of project construction. Council pre-approval of the quitclaim of this easement is requested to be executed and recorded when the City Engineer is satisfied that this work is complete.
5. On January 15, 2009, the City of Long Beach Planning Commission approved META Housing's plans for a three-building, mixed-used development, including 42,000 square feet of retail, 186 senior rental housing units, and 170 condominiums, and made a General Plan Conformity Finding for the required alley vacation as required in Section 8313 of the Public Streets, Highways and Service Easements Vacation Law. In conformance with the California Environmental Quality Act, an addendum to the City of Long Beach Central Redevelopment Environmental Impact Report was prepared for this project. The Development Services Department staff report is included as Exhibit D.
6. The interested City Departments, including Fire and Police, have reviewed the proposed land development and right-of-way vacation and dedications, and have no objections to this action. Conditions of approval, satisfying the concerns of the public utility companies, are shown on Exhibit E.

The public hearing on this matter to be held on December 1, 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 October 6, 2009.

This matter was reviewed by Deputy City Attorney Linda Trang on October 6, 2009 and by Budget and Performance Management Bureau Manager David Wodynski on October 9, 2009.

TIMING CONSIDERATIONS

City Council action is requested on November 3, 2009 to set the December 1, 2009 public hearing date for this matter.

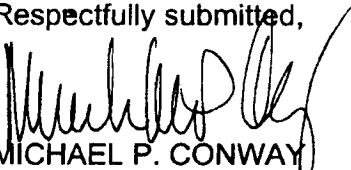
FISCAL IMPACT

A vacation processing fee of \$3,693 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

PICLIROW alley vacation Meta Housing CL.doc
MPC:MAC:GMM:SC:db

Exhibit A - Vicinity Map
Exhibit B - Project Summary and Site Development Plan
Exhibit C - Property Ownership
Exhibit D - Planning Dept. Staff Report
Exhibit E - Conditions of Approval

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

1 RESOLUTION NO.
2

3 A RESOLUTION ORDERING THE VACATION OF A
4 PORTION OF THE ALLEY WEST OF LONG BEACH
5 BOULEVARD AND SOUTH OF ANAHEIM STREET IN THE
6 CITY OF LONG BEACH, COUNTY OF LOS ANGELES,
7 STATE OF CALIFORNIA
8

9 WHEREAS, the City Council of the City of Long Beach, did heretofore, on
10 the _____ of _____, 200_, by Resolution No. _____, declare
11 its intention to order the vacation, pursuant to the provisions of the Public Streets,
12 Highways, and Service Easements Law, a portion of the alley west of Long Beach
13 Boulevard and south of Anaheim Street, in the City of Long Beach, County of Los
14 Angeles, State of California, described more particularly as follows:

15 Parcel 1:

16 That portion of the Alley (20 feet wide), also known as Regal
17 Way, abutting Lots 13, 14, 15, 16, and a portion of Lots 11,
18 12, 17 and the Reservoir Lot, as shown in Block B,
19 Stanwood and Nash's Subdivision of Farm Lot 182 in the
20 American Colony Tract, in the City of Long Beach, County of
21 Los Angeles, State of California as per map recorded in
22 Book 36, Page 76 of Miscellaneous Records, in the Office of
23 the County Recorder of said County, more particularly
24 described as follows:

25
26 Bounded on the West by the North prolongation of the East
27 line of the West 25 feet of Lot 11 of said Tract and bounded
28 on the East by the West line of the East 22 feet of said Alley

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

and said Block B.

Parcel 2:

That portion of the Alley (20 feet wide), also known as Regal Way, abutting a portion of Lots 11 and 12 as shown in Block B, Stanwood and Nash's Subdivision of Farm Lot 182 in the American Colony Tract, in the City of Long Beach, County of Los Angeles, State of California as per map recorded in Book 36, Page 76 of Miscellaneous Records, in the Office of the County Recorder of said County, more particularly described as follows:

Bounded on the West by the Northerly prolongation of the West line of said Lot 11 and bounded on the East by the Northerly prolongation of the East Line of the West 25 feet of said Lot 11, said land lying below a horizontal plane having an elevation of 36.50 feet (based on CLB BM 567, Elevation 38.029 feet).

Reference City of Long Beach Benchmark No.567, NE Corner of Long Beach Boulevard and Anaheim Street, brass disc flush with pavement, stamped "CLB BM 567, 1990", 20.5' east of curb and 1.1' north of curb. Elev. = 38.029 feet (NGVD29 MSL, CLB 1985 Adj.)

Reserving unto the City of Long Beach, its successors and assigns a perpetual easement and right-of-way, at any time or from time to time, to lay, construct, maintain, operate,

1 repair, renew, replace, change the size of and remove the
2 existing utility lines, including, but not limited to, sanitary
3 sewers, storm drains and appurtenant structures, together
4 with all necessary gates, valves, fittings, hydrants and
5 appurtenances for the transportation of water and gas, with
6 the right of ingress to and egress from the same, over,
7 through, under, along and across that certain property
8 vacated herewith; and pursuant to any existing franchises or
9 renewals thereof, or otherwise, to construct, maintain,
10 operate, replace, remove, renew and enlarge lines of
11 conduits, cables, wires, poles and other convenient
12 structures, equipment and fixtures for the operation of
13 telephone lines and other communication lines, and for the
14 transportation or distribution of electric energy, and
15 incidental purposes including access and the right to keep
16 the property free from inflammable materials, and wood
17 growth, and otherwise protect the same from all hazards in,
18 upon and over the part vacated. Access for maintenance of
19 the above-mentioned facilities must be maintained at all
20 times. No improvements shall be constructed within the
21 easement which would impede the operation, maintenance
22 or repair of said facilities. Construction of any improvements,
23 including changes of grade, shall be subject to the prior
24 written approval of all the City departments and public
25 utilities responsible for the above said facilities.

26
27 WHEREAS, the City Council did, at said time, fix Tuesday, the _____
28 day of _____, 200_, at the hour of _____ p.m., as the time and the

1 City Council Chamber, Plaza Level of the City Hall, 333 West Ocean Boulevard, in the
2 City of Long Beach, California, as the place for hearing for all persons interested in or
3 objecting to the proposed vacation to appear and be heard; and

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

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

10 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
11 follows:

12 Section 1. Pursuant to the foregoing resolution of intention, the
13 proceedings had thereunder, Vacation Sketch No. 989V showing a portion of the alley
14 west of Long Beach Boulevard and south of Anaheim Street to be vacated by the City of
15 Long Beach attached hereto as Exhibit "A", and the City Council Findings attached hereto
16 as Exhibit "B", said City Council of the City of Long Beach hereby makes its resolution
17 vacating and closing a portion of the street hereinabove described.

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

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

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

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: _____

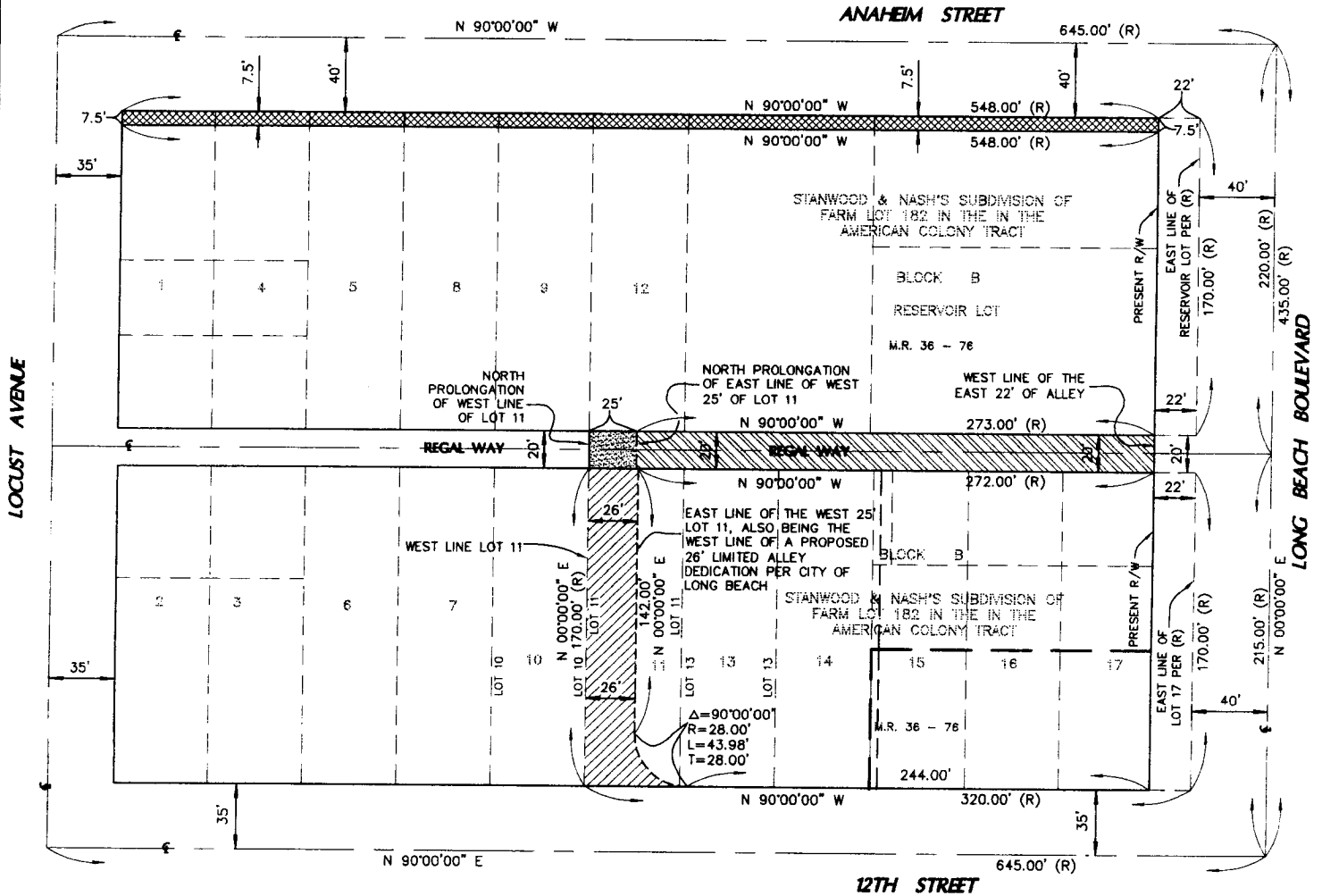
Absent: Councilmembers: _____





City Clerk

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

CITY OF LONG BEACH, CALIFORNIA

LONG BEACH & ANAHEIM PROJECT



-  REGAL WAY VACATION
-  LIMITED DEDICATION AREA BELOW ELEVATION 53.00'
-  LIMITED DEDICATION AREA ABOVE ELEVATION 36.50'
-  LIMITED VACATION AREA BELOW ELEVATION 36.50'

LEGEND:

R = BLOCK B, STANWOOD & NASH SUBDIVISION M.R. BK. 36 PG. 76



NOT TO SCALE



707 WILSHIRE BOULEVARD, 40TH FLOOR,
LOS ANGELES, CA 90017
213 624 2661 TEL
213 614 1863 FAX

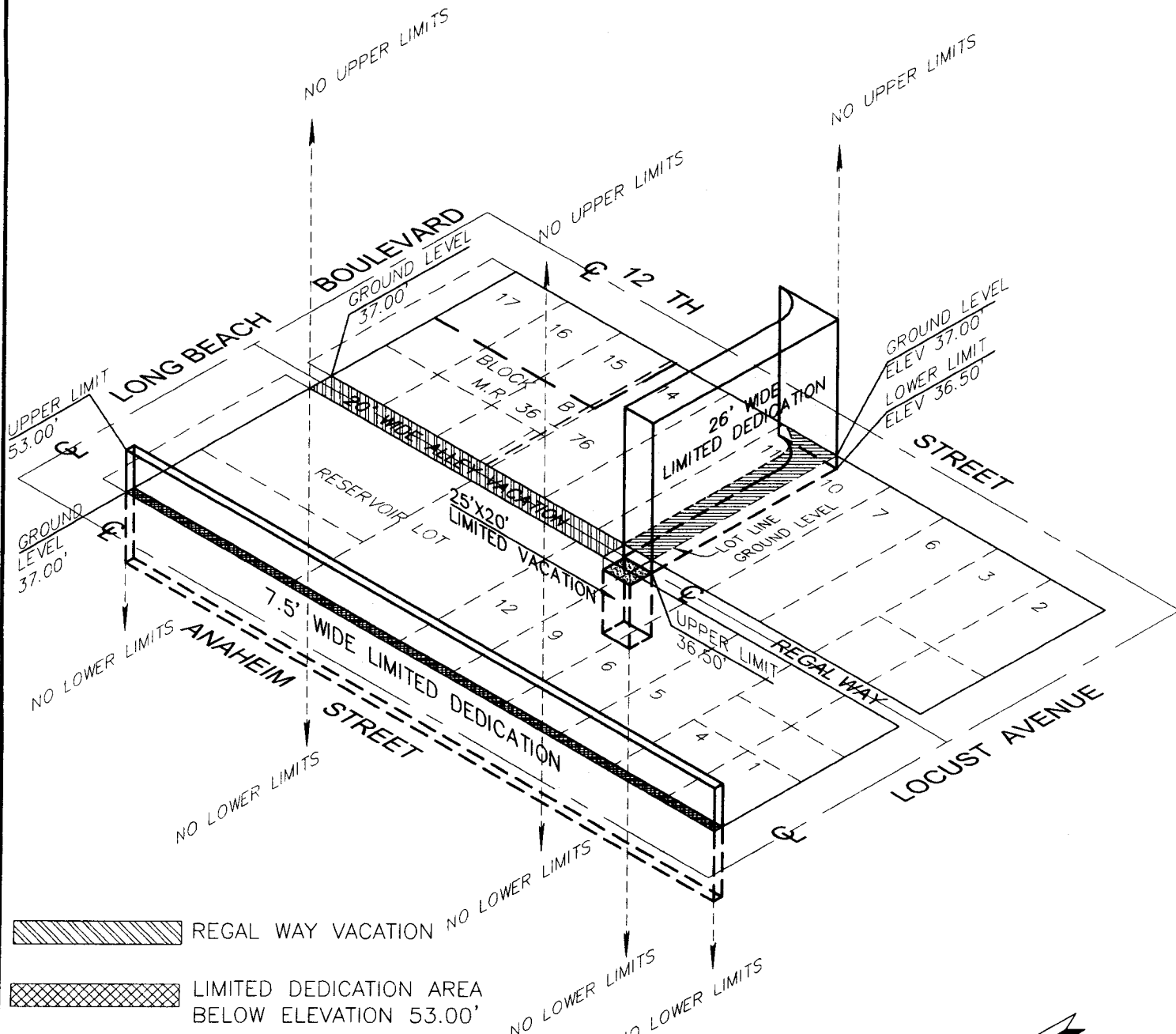
CIVIL ENGINEERING
SURVEYING+MAPPING
LAND DEVELOPMENT





**VICINITY MAP FOR STREET VACATION AND DEDICATION
BLOCK B, STANWOOD AND NASH SUBDIVISION
LONG BEACH, CA**

CITY OF LONG BEACH, CALIFORNIA

LONG BEACH & ANAHEIM PROJECT

AIRSPACE EXHIBIT



-  REGAL WAY VACATION
-  LIMITED DEDICATION AREA BELOW ELEVATION 53.00'
-  LIMITED DEDICATION AREA ABOVE ELEVATION 36.50'
-  LIMITED VACATION AREA BELOW ELEVATION 36.50'

NOT TO SCALE



707 WILSHIRE BOULEVARD, 40TH FLOOR,
LOS ANGELES, CA 90017
213 624 2661 TEL
213 614 1863 FAX

CIVIL ENGINEERING
SURVEYING+MAPPING
LAND DEVELOPMENT

**VICINITY MAP FOR STREET VACATION AND DEDICATION
BLOCK B, STANWOOD AND NASH SUBDIVISION
LONG BEACH, CA**

CITY COUNCIL FINDINGS

VACATION OF A PORTION OF THE ALLEY WEST OF LONG BEACH BOULEVARD AND SOUTH OF ANAHEIM STREET Reference Sketch No. 989V

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

This finding is based upon the following:

- a) Those findings listed in the City Council letter dated November 3, 2009, agenda item 16.
- 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, an addendum to the City of Long Beach Central Redevelopment Environmental Impact Report was prepared for this project.