



CITY OF LONG BEACH

DEPARTMENT OF PUBLIC WORKS

333 West Ocean Boulevard • Long Beach, CA 90802

June 13, 2006

HONORABLE MAYOR AND CITY COUNCIL

City of Long Beach
California

RECOMMENDATION:

Adopt attached resolution of intention to vacate the northerly portion of the alley in the block south of Fourth Street between Orizaba and Gladys Avenues, setting a date for a public hearing on August 1, 2006; authorize acceptance of a dedication of new east-west alley right-of-way in this block; and authorize the quitclaim of the reserved utility easement, upon satisfactory relocation of the existing public utilities. (District 2)

DISCUSSION

Owners of the Ralphs Market at 2930 East Fourth Street would like to remodel and expand their building to the south beyond their adjacent alley boundary. In order to do so, they would build a new alley approximately 60 feet south of the existing one. The new alley would be 20 feet wide, while the old alley is only 15 feet wide. In addition, the vehicle turning radius from the north-south alley will be improved, due to greater width provided at that intersection. These proposed changes are shown on the attached Exhibit A.

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 owner of the Ralphs grocery store at 2930 E. Fourth Street submitted plans for the remodeling and expansion of their store, which necessitate the relocation of the adjacent east-west alley immediately south of their building. Plans for the store expansion were reviewed and approved by the Planning Commission on February 16, 2006, subject to a City Council decision to relocate the alley. An exhibit showing the proposed expanded building footprint is attached as Exhibit B.
2. Plans for the construction of the new alley have been reviewed and approved by the City Traffic Engineer and Public Works' Project Development Section. It is proposed that the area shown as "Proposed Alley" on Exhibit A be constructed and accepted as a public alley.

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3. On February 16, 2006, 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, Negative Declaration Number ND 27-05 was issued for this project. The Planning Department staff report is included as Exhibit C.
4. Utilities in the existing alley must be relocated to the new alley location. A utility easement will be reserved until such time as all public facilities have been satisfactorily relocated, when a quitclaim of easement may be executed.
5. The interested City departments including Fire and Police have reviewed the proposed right-of-way vacation and market expansion 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 will be held on August 1, 2006, to 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 Lisa Peskay Malmsten on May 15, 2006.

TIMING CONSIDERATIONS

City Council action is requested on June 13, 2006, to allow the expansion of the market to proceed on schedule.

FISCAL IMPACT

A vacation processing fee of \$1,000 was deposited to the General Fund (GP) in the Department of Public Works (PW).

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



CHRISTINE F. ANDERSEN
DIRECTOR OF PUBLIC WORKS

GMM:SC:km
P\CLRW Ralphs Market Res of Int CL.doc

Attachments

APPROVED:


for Christine F. Shippin
GERALD R. MILLER
CITY MANAGER