



CITY OF LONG BEACH

DEPARTMENT OF PUBLIC WORKS

333 West Ocean Boulevard • Long Beach, CA 90802

November 15, 2005

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt a resolution of intention to vacate portions of Fourth Street and Elm Avenue adjacent to 395 East Fourth Street and set a date for a public hearing on the vacation for December 13, 2005. (District 1)

DISCUSSION

The Fourth Street Loft Partners, LLC, developers of the residential project currently being constructed on the block north of Fourth Street and west of Elm Avenue, propose to construct certain architectural features including a veneer façade and porch steps beyond their existing property line. Because these design features, desired by the Redevelopment Agency, would have been difficult to accommodate on this 62-foot deep building site, it is recommended that the property line along Fourth Street and Elm Avenue be relocated three feet nearer to the curblineline. The porch steps will extend to the current edge of the sidewalk, which will remain 12 feet wide. The proposed vacation is shown on 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 use by the public. 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 use by the public:

1. The building design with projecting porch steps is shown on Exhibit B.
2. On August 21, 2003, the City of Long Beach 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, an EIR for the entire CityPlace development (of which this is a part) was certified and filed under the State

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Clearinghouse reference number 2000011097. The Planning Department staff report is included as Exhibit C.

3. 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. There are no conditions of approval attached to this vacation action.

The proposed resolution of intention to vacate was prepared by Deputy City Attorney Lisa Peskay Malmsten on October 10, 2005. The City of Long Beach does not guarantee reversionary rights over the vacated right-of-way.

TIMING CONSIDERATIONS

City Council action on this matter is not time critical.

FISCAL IMPACT

A vacation processing fee of \$1000 was deposited to the General Fund (GP) in the Department of Public Works (PW).

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



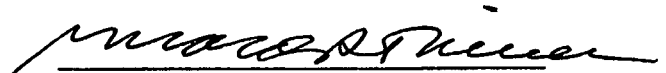
CHRISTINE F. ANDERSEN
DIRECTOR OF PUBLIC WORKS

GM:SC:km

Attachments

PICLRW Fourth St Loft vac CL 1.doc

APPROVED:



GERALD R. MILLER
CITY MANAGER