



CITY OF LONG BEACH

DEPARTMENT OF PUBLIC WORKS

C-21

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

October 23, 2007

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt the attached Resolution of intention to vacate a portion of Lakewood Boulevard formerly known as La Plaza East of Lakewood Boulevard, authorize the acceptance of the dedication of additional right-of-way for Lakewood Boulevard and Stearns Street, and set a date for a public hearing on the vacation for November 20, 2007. (District 5)

DISCUSSION

The owner of the triangular parcel at the northeast corner of Lakewood Boulevard and Stearns Street proposes to redevelop that site with a 6,404-square foot retail plaza with 6 commercial units. Twenty-six parking spaces are required for this development. It is proposed that the southwesterly 31.75 feet of an 82.32-foot wide local street right-of-way be vacated to allow the developer to claim the row of perpendicular parking spaces adjacent to the parcel as a part of this development. The right-of-way to be vacated is shown on Exhibit A.

Also as a condition of development, additional right-of-way is needed for widening Stearns Street and Lakewood Boulevard. The right-of-way to be dedicated is also 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 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:

AIRPORT
4100 Donald Douglas Dr.
Long Beach, CA 90808
Ph. (562) 570-2600
Fax (562) 570-2601

**BUSINESS OPERATIONS
BUREAU**
333 W. Ocean Blvd., 9th Floor
Long Beach, CA 90802
Ph. (562) 570-6383
Fax (562) 570-6012

**ENGINEERING & STREET
MAINTENANCE**
333 W. Ocean Blvd., 9th Floor
Long Beach, CA 90802
Ph. (562) 570-6634
Fax (562) 570-6012

**ENVIRONMENTAL
SERVICES**
2929 E. Willow Street
Long Beach, CA 90806
Ph. (562) 570-2850
Fax (562) 570-2861

**FACILITIES
BUREAU**
333 W. Ocean Blvd., 9th Floor
Long Beach, CA 90802
Ph. (562) 570-5786
Fax (562) 570-6012

**FLEET
SERVICES**
2600 Temple Avenue
Long Beach, CA 90806
Ph. (562) 570-5400
Fax (562) 570-5414

**TRAFFIC &
TRANSPORTATION**
333 W. Ocean Blvd., 10th Floor
Long Beach, CA 90802
Ph. (562) 570-6331
Fax (562) 570-7161

HONORABLE MAYOR AND CITY COUNCIL

October 23, 2007

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1. On July 6, 2006, the City of Long Beach Planning Commission conditionally approved plans for a new retail plaza at 2200 North Lakewood Boulevard. Conditions include the vacation of the subject street portion and the widening of both Stearns Street and Lakewood Boulevard by 3 feet. The development plan is attached as Exhibit B.
2. As a part of this project, the Stearns Street roadbed will be widened by 6.5 feet to provide the space needed for a new left-turn lane. The Developer will relocate the curb and other street furniture, upgrade and relocate the traffic signal at this intersection and construct an 8.5-foot wide sidewalk. Three feet of additional right-of-way is required for this improvement, as stated above.
3. Also as a part of this project, the Developer will replace the existing 7-foot wide sidewalk with a 10-foot wide sidewalk along Lakewood Boulevard.
4. Because the sidewalk along the vacated street portion will now be private, a private lighting system will be installed by the Developer. The existing public lighting fixtures will be returned to City Light & Power.
5. Other area improvements to be carried out by the Developer include the extension of traffic islands along Lakewood Boulevard and Stearns Street as recommended by the City Traffic Engineer, and repair of the remaining street area pavement.
6. On July 6, 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 08-06 was certified for this project. The Planning Department staff report is included as Exhibit C.
7. 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 public utilities within the area to be vacated. Conditions of approval are listed in Exhibit D.

The public hearing on this matter to be held on November 20, 2007, 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 Lori A. Conway on September 27, 2007.

TIMING CONSIDERATIONS

City Council action on this item is requested on October 23, 2007, to allow the construction of this project to proceed on schedule.

HONORABLE MAYOR AND CITY COUNCIL

October 23, 2007

Page 3

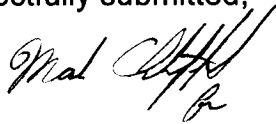
FISCAL IMPACT

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,



CHRISTOPHER J. GARNER
ACTING DIRECTOR OF PUBLIC WORKS

GMM:SC:db
P\CL\ROW vac Lakewood Stearns Res of Int CL

Attachments
Exhibits A-D

APPROVED:

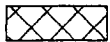
for 
PATRICK H. WEST
CITY MANAGER

EXHIBIT "A"

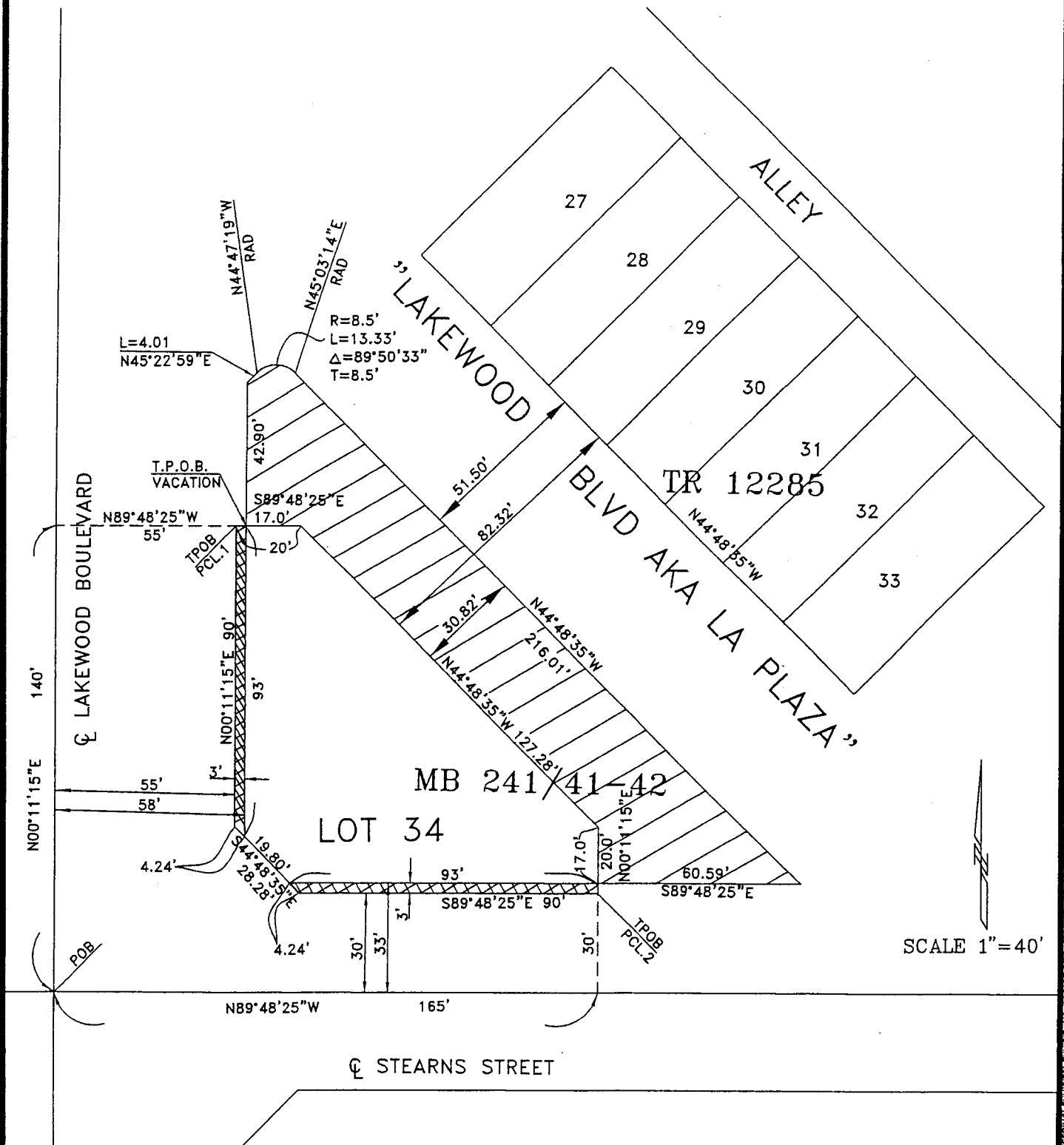
SHEET 1 OF 1



AREA TO BE VACATED



PROPOSED R.O.W. DEDICATION

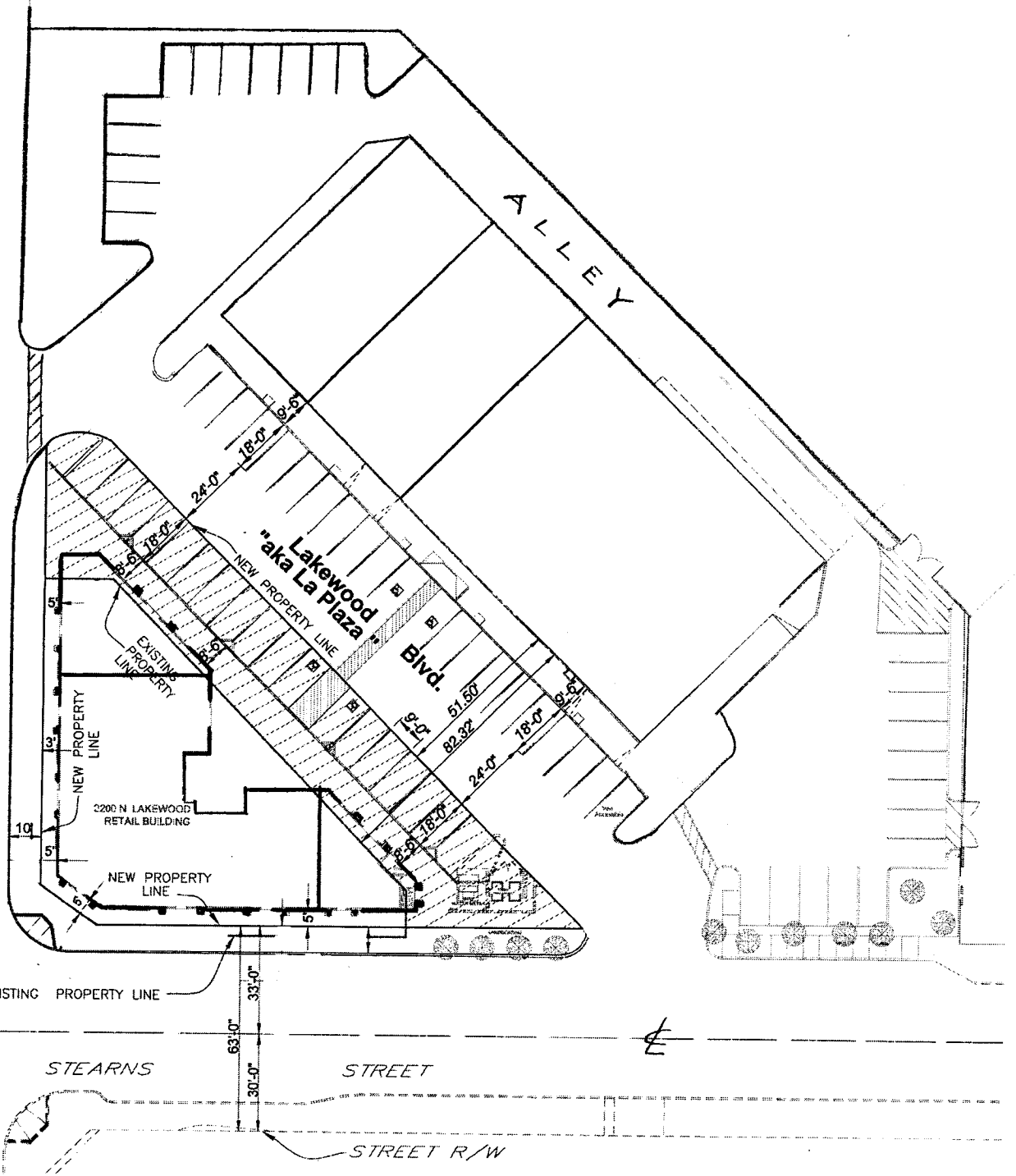


SCALE 1" = 40'

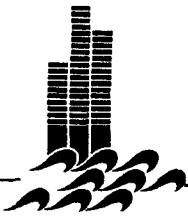
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<p>188 TECHNOLOGY DRIVE, SUITE B IRVINE, CA 92618 TEL: (949) 336 - 6336 FAX: (949) 336 - 6338</p>	<p>DRAWN BY: SK DATE: 08/21/07</p>	<h2>EXHIBIT "A"</h2> <p>THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE ATTACHED DOCUMENT. IT IS NOT A PART OF THE WRITTEN DESCRIPTION THEREIN.</p>
	<p>CHECKED BY: RM DATE: 08/21/07</p>	

LAKWOOD BLVD.



**DEVELOPMENT PLAN
EXHIBIT B**



CITY OF LONG BEACH

DEPARTMENT OF PLANNING AND BUILDING

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

ADVANCE PLANNING

July 6, 2006

CHAIR AND PLANNING COMMISSIONERS
City of Long Beach
California

SUBJECT: Finding of Conformity with the *General Plan* for the Vacation and Dedication of Public Right-of-Way Relating to the Lakewood/Stearns Retail Plaza.

LOCATION: 2200 North Lakewood Boulevard

APPLICANT: Lance Brown

RECOMMENDATION

Find the proposed dedication and vacation of public right-of-way, as depicted in Exhibit A, in conformance with the *General Plan*.

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 vacation is herein submitted for such review.

The applicant proposes to develop the vacant northeast corner of Lakewood Boulevard and Stearns Street into a 6,404 sq. foot retail plaza containing six commercial units. The applicant is required to provide 26 parking spaces. The partial vacation of La Plaza Street will allow the applicant to claim the street parking abutting the retail center towards the parking requirement. Moreover, the applicant is dedicating a portion of the site along Stearns Street to improve traffic flow.

The public right-of-way dedication and vacation has been reviewed and approved by the Long Beach Public Works Department after consultation with other interested City departments.

EXHIBIT C

Page 1 of 3

A finding of consistency 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: Land Use, Open Space, Transportation, Noise, Scenic Routes, Conservation, Local Coastal Program, Housing, Air Quality, Public Safety, and Seismic Safety. 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

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 public right-of-way in question is located in Land Use District (LUD) 8N, Shopping Nodes. The intent of LUD 8N is to accommodate retail and service uses in small clusters for nearby neighborhoods. A retail building of this size is intended for neighborhood serving uses; therefore, it is considered consistent with the *General Plan*.

The Land Use Element also discusses each of the 57 neighborhoods in Long Beach. The proposed parcels are located in the Stearns Park Neighborhood, which is characterized by low density housing stock. The shopping node at Stearns Street and Lakewood Boulevard is one of two neighborhood serving commercial centers for this neighborhood. The proposed reuse of this property is consistent with the Neighborhood Plan.

Transportation Element

The Transportation Element divides the Long Beach roadway system into a "functional classification of streets." The functional classification policy is intended to provide guidelines on what kinds of traffic should be emphasized on each street, and how future land use development relate to that street. Lakewood Boulevard is a regional corridor, where auto-oriented commercial uses are appropriate. Stearns Street is a collector street, which service trips are generated by the surrounding or adjacent neighborhoods. The vacation and dedication for the Lakewood/Stearns Retail Plaza is consistent with the above mentioned policies.

The public right-of-way dedication along Stearns is for a street improvement project not itemized in the Transportation Element.

ENVIRONMENTAL REVIEW

In accordance with the guidelines for implementing the California Environmental Quality Act (CEQA), Negative Declaration 08-06 is before you today for your certification.

IT IS RECOMMENDED THAT THE PLANNING COMMISSION

Find the proposed dedication and vacation of public right-of-way, as depicted in Exhibit A, in conformance with the *General Plan*.

Respectfully submitted,

SUZANNE FRICK
DIRECTOR OF PLANNING AND BUILDING

By: _____

Ira Brown
Planner

Approved: _____

Angela Reynolds
Advance Planning Officer

SF:AR:IB

Attachment:

1. Exhibit A: Sketches Depicting public right-of-way vacation and dedication

**VACATION OF A PORTION OF LAKEWOOD BOULEVARD
PREVIOUSLY KNOWN AS LA PLAZA EAST OF LAKEWOOD BOULEVARD
SKETCH NO. 970V
CONDITIONS OF APPROVAL**

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 sewer line.
2. All publicly-owned street light standards in the portion of the street to be vacated must be returned to City Light and Power, and the power supply circuits to these street light standards must be disconnected to the public street light system, to the satisfaction of the Director of Public Works.
3. The Developer shall widen the East Stearns Street right-of-way by three feet adjacent to the project site. The roadbed shall increase in width from 18 feet to 24.5 feet, by relocating the curb adjacent to this property 6.5 feet to the north and by dedication of an additional 3 feet of right-of-way. Existing street furniture, including traffic signal equipment, shall be relocated by the Developer.
4. The Developer shall widen the Lakewood Boulevard right-of-way by 3.0 feet adjacent to the project site. The sidewalk shall be reconstructed to a width of 10.0 feet.
5. The traffic island along the east side of Lakewood Boulevard shall be extended southerly toward the project area, reducing the width of access into the easterly branch of "Lakewood Boulevard/La Plaza" to 24 feet wide, to the satisfaction of the City Traffic Engineer.
6. The northernmost traffic signal at the intersection of Lakewood Boulevard and Stearns Street shall be relocated and upgraded (pole, mast arm, signal head, new left-turn signal, etc.) by the Developer, at the direction of the City Traffic Engineer.
7. The remaining public street area north of the area vacated, including the parking spaces adjacent to Lots 27 – 33 of Tract No. 12285 (functioning as a shopping center parking lot), shall be repaired, slurry sealed, and restriped as a part of this development, to the satisfaction of the Director of Public Works.
8. The vacation petitioner shall 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.

EXHIBIT D

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 OF INTENTION TO VACATE A
4 PORTION OF LAKEWOOD BOULEVARD FORMERLY
5 KNOWN AS LA PLAZA EAST OF LAKEWOOD
6 BOULEVARD, IN THE CITY OF LONG BEACH, COUNTY
7 OF LOS ANGELES, STATE OF CALIFORNIA, PURSUANT
8 TO THE PUBLIC STREET, HIGHWAYS AND SERVICE
9 EASEMENTS LAW (DIVISION 9, PART 3, CALIFORNIA
10 STREETS AND HIGHWAYS CODE); FIXING A TIME AND
11 PLACE FOR HEARING ALL PERSONS INTERESTED IN
12 OR OBJECTING TO THE PROPOSED VACATION
13

14 The City Council of the City of Long Beach resolves as follows:

15 Section 1. The City Council of the City of Long Beach hereby elects to
16 proceed under Division 9, Part 3, Chapter 3, of the California Streets and Highways
17 Code, as amended, generally known and referred as the "Public Street, Highways and
18 Service Easements Law", and hereby declares its intention to vacate a portion of
19 Lakewood Boulevard formerly known as La Plaza East of Lakewood Boulevard in the
20 City of Long Beach, County of Los Angeles, State of California, described more
21 particularly as follows:

22 That portion of Lakewood Boulevard, formerly known as La
23 Plaza, in the City of Long Beach, County of Los Angeles,
24 State of California, as shown on Tract Map No. 12285
recorded in M.B. 241, Pages 41 and 42 of Maps in the office
of the County Recorder of said County, described as follows:

25 Beginning at a point in the centerline of Lakewood Blvd, 105
26 feet wide, at its intersection with the centerline of Stearns
27 Street, 60 feet wide, as shown on said Tract Map; thence,
28 North 0°11'15" East along said centerline of Lakewood Blvd
140.00 feet; thence, South 89°48'25" East 58.00 feet to a
point in the northerly line of Lot 34 of said Tract, said point

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being the True Point of Beginning for this description; thence, North 0°11'15" East; 42.90 feet; thence, North 45°22'59" East 4.01 feet to a point at the beginning of a non-tangent curve having a radius of 8.50 feet; the radial bearing at said point being North 44°47'19" West; thence, northerly and easterly a distance of 13.33 feet along said curve, through a central angle of 89°50'33" to a point at the end of said curve, the radial bearing at said point being North 45°03'14" East; thence, South 44°48'35" East 216.01 feet along a line parallel to, and 30.82 feet distant from, the northeasterly line of said Lot 34; thence, North 89°48'25" West 60.59 feet to a point in the easterly line of said Lot 34; thence, North 0°11'15" East along said easterly line 17.00 feet to the southerly terminus of said northeasterly line of Lot 34; thence, North 44°48'35" West along said northeasterly line 127.28 feet to a point in the north line of said Lot 34; thence, North 89°48'25" West along said north line 17.00 feet to the True Point of Beginning.

Containing 6,550 square feet, more or less.

Section 2. All of the foregoing real property is shown on the map or plan thereof, attached hereto as Exhibit "A", and on file in the office of the City Clerk, which map or plan is known and referred to as City of Long Beach Department of Public Works Vacation Sketch No. 970V."

Section 3. The City Council hereby fixes the _____ day of _____, 2007 at the hour of _____ p.m., as the time and the City Council Chamber, Plaza Level of the City Hall, 333 West Ocean Boulevard, in the City of Long Beach, California, as the place for hearing all persons interested in or objecting to the proposed vacation.

Section 4. The City Council hereby directs that notice of this street vacation be posted conspicuously along the street to be vacated at least two (2) weeks before the date set for hearing and in the manner provided by Section 8323 of the State Streets and Highways Code.

Section 5. 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.

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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: _____

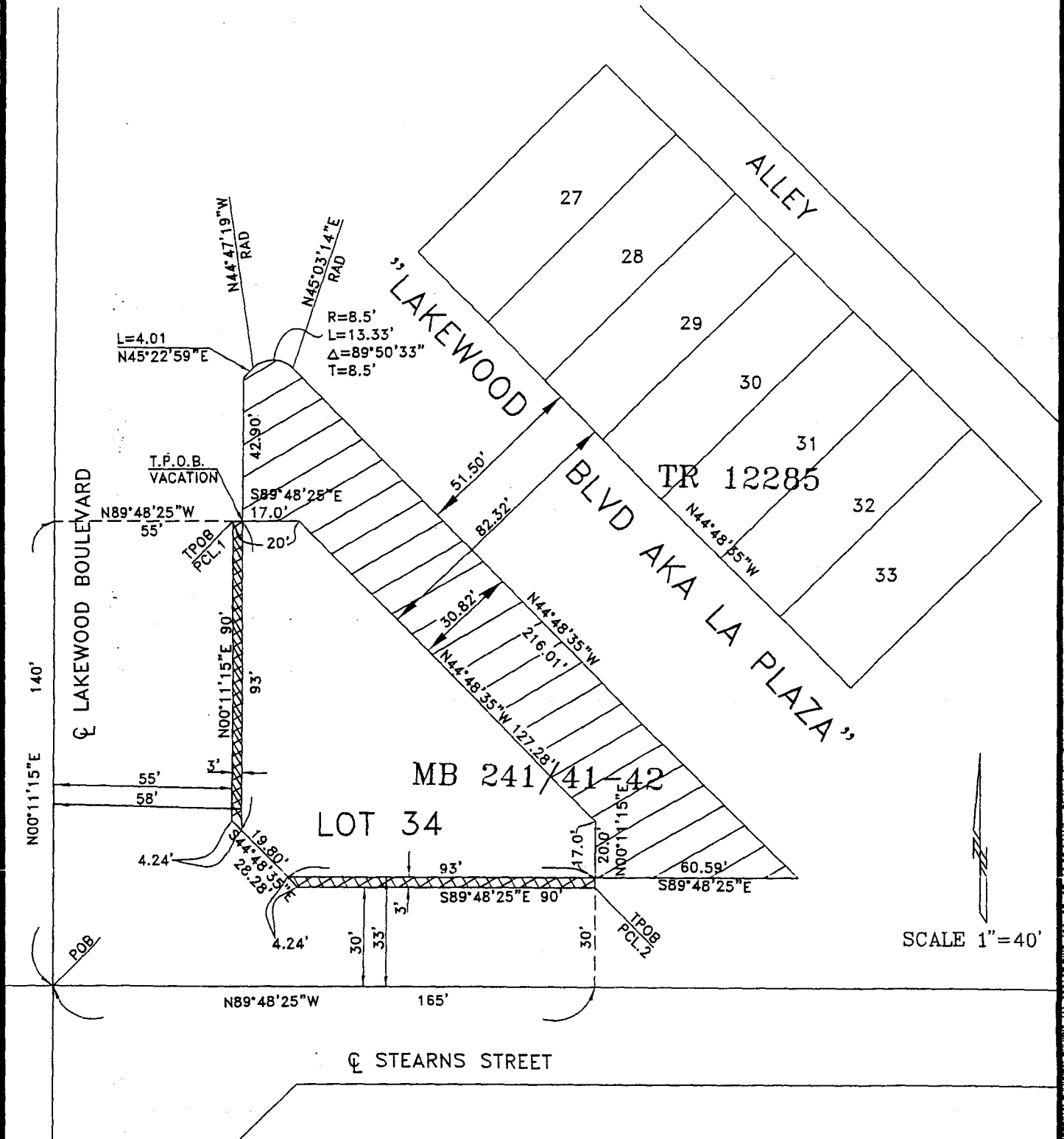
City Clerk


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

EXHIBIT "A"

SHEET 1 OF 1

-  AREA TO BE VACATED
-  PROPOSED R.O.W. DEDICATION



 <p>APD CONSULTANTS, INC.</p>	<p>188 TECHNOLOGY DRIVE, SUITE B IRVINE, CA 92618 TEL: (949) 336 - 6336 FAX: (949) 336 - 6338</p>	<p>DRAWN BY: SK DATE: 08/21/07 CHECKED BY: RM DATE: 08/21/07</p>	<p>EXHIBIT "A" THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE ATTACHED DOCUMENT. IT IS NOT A PART OF THE WRITTEN DESCRIPTION THEREIN.</p>
	<p style="font-size: small;">P:\PROJECTS\0712\ENGINEERING\EXHIBITS\EXHIBIT (A) 082107.DWG (08-07-07 10:55:00AM) Plotted by: Schar</p>		