



CITY OF LONG BEACH

DEPARTMENT OF PUBLIC WORKS

C-12

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

May 3, 2016

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt a Resolution of Intention to vacate Alta Way between Marietta Court and Olive Avenue, as well as a portion of Olive Avenue north of First Street; and, set the date of May 24, 2016 for the public hearing on this vacation. (District 2)

DISCUSSION

The developer of the property at 101 Alamitos Avenue, Sares Regis Group, requests to vacate Alta Way between Marietta Court and Olive Avenue, as well as a portion of Olive Avenue north of First Street (Exhibit A) for the construction of a 136-unit condominium complex. Consistent with California land reversion practices, the vacated portions of Alta Way and Olive Avenue will revert back to the adjacent property owners.

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 (Exhibit B). On December 3, 2015, the Planning Commission determined the subject vacation action is consistent with the General Plan (Exhibit C).

The interested City departments, including Traffic Engineering, Fire and Police have reviewed the proposed right-of-way vacation and have no objections to this action. To meet public utility company conditions, an easement has been reserved on Olive Avenue (Exhibit D).

A public hearing on this matter is to be held on May 24, 2016, and will allow all persons interested in, or objecting to, the proposed vacation to appear and be heard. At that time, the City Council will deliberate and take action on the proposed vacation.

This matter was reviewed by Deputy City Attorney Gary J. Anderson on March 25, 2016 and by Budget Officer Victoria Bell on April 15, 2016.

TIMING CONSIDERATIONS

City Council action is requested on May 3, 2016, to set a hearing date on this matter for May 24, 2016.

FISCAL IMPACT

A tentative vacation processing fee of \$9,908.46 was deposited to the General Fund (GF) in the Public Works Department (PW). There is no local job impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



CRAIG A. BECK
DIRECTOR OF PUBLIC WORKS

APPROVED:

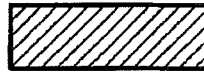


PATRICK H. WEST
CITY MANAGER

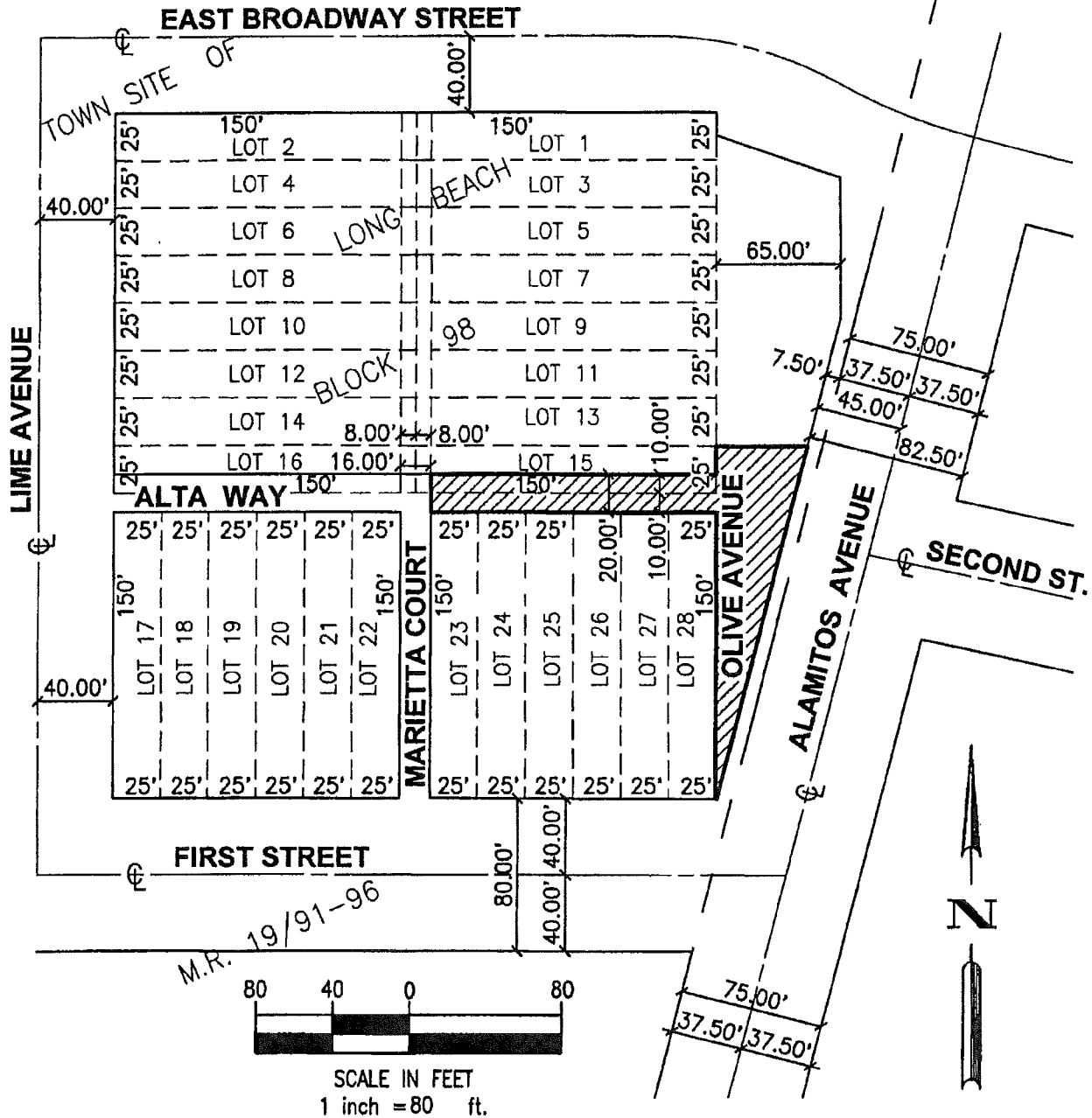
MW:sdj

Attachments: Exhibit A – Area to be Vacated
Exhibit B – City Council Findings
Exhibit C – Planning Commission Findings
Exhibit D – Conditions of Approval
Resolution

EXHIBIT "A"
PLOT PLAN FOR STREET VACATION
IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES,
STATE OF CALIFORNIA



AREA TO BE VACATED



BY: B.J.W.
 DATE: 11-18-2015
 SCALE: 1" = 80'



ALDEN & ASSOCIATES
 CIVIL ENGINEERS - LAND SURVEYORS - PLANNERS
 2552 WHITE ROAD, SUITE B • IRVINE, CA 92614-6236
 (949) 660-0110 FAX: 660-0418

STREET AND ALLEY VACATION
CITY OF LONG BEACH
EXHIBIT "A"



CITY COUNCIL FINDINGS

VACATION OF A PORTION OF ALTA WAY EAST OF MARIETTA COURT AND REMNAANT OLIVE AVENUE RIGHT-OF-WAY NORTH OF 1ST STREET

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

This finding is based upon the following subfindings:

- a) On December 3, 2015, the Planning Commission determined that the subject vacation is consistent with the General Plan, as required in Section 8313 of the Public Streets, Highways and Service Easements Vacation Law;
- b) The interested City departments, including Traffic Engineering, Fire and Police, have reviewed the proposed right-of-way vacation and have no objections to this action;
- c) The rights-of-way would not be useful for exclusive bicycle pathway 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.
- d) In conformance with the California Environmental Quality Act, Categorical Exemption Number 15-148 was issued for this project.

EXHIBIT B



CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 5th Floor Long Beach, CA 90802 (562) 570-6194 FAX (562) 570-6068

December 3, 2015

CHAIR AND PLANNING COMMISSIONERS
City of Long Beach
California

RECOMMENDATION:

Approve a Site Plan Review and Tentative Tract Map to construct a 136-unit condominium complex and make a General Plan Conformity Finding to vacate portions of a public street and alley, located at 101 Alamitos Avenue in the Downtown Planned Development District (PD-30) and accept Categorical Exemption 15-148. (District 2)

APPLICANT: Sares Regis Group
c/o Dave Powers
18825 Bardeen Avenue
Irvine, CA 92612
(Application No. 1505-18)

DISCUSSION

This item was continued from the Planning Commission meeting of November 19, 2015, at the request of the applicant.

The project site is located on the north side of 1st Street, between Alamitos Avenue and Lime Avenue (Exhibit A – Location Map) and consists of three parcels and a portion of the public right-of-way. The site is located at the easterly edge of the East Village Arts District within the Downtown Planned Development District (PD-30).

The intent of PD-30 is to facilitate a range of housing types, businesses, shopping, services and entertainment functions, while enhancing mobility, urban design and open space within Downtown. The proposed project consists of a 136-unit condominium complex of seven stories above grade, with a subterranean and at-grade parking garage with 174 spaces. (Exhibit B - Plans & Photos). The project will have 2,560 square feet of retail, a 2,800-square-foot fitness center and a 1,863-square-foot lobby and leasing office.

A portion of the public alley known as Alta Way and a portion of Olive Avenue will be vacated to accommodate development of the project on a single parcel. The applicant proposes to combine three parcels, Alta Way, and Olive Avenue, into a consolidated parcel of 32,059 square feet. The consolidated parcel will be recorded as a Tentative Tract Map for 136 condominiums with individual ownership. The portion of Olive Avenue to be vacated has four on-street parking spaces and staff from the Department of Public Works has confirmed that at least four spaces will be replaced with restriping along 1st Street.

The Downtown Plan Development Standards and Design Guidelines (PD-30) require that new develop emphasize proper massing, street wall design, pedestrian orientation, and compatibility with surrounding buildings, and provide outdoor space and the use natural Building materials. The proposed project has been designed to address these objectives through a building design that incorporates of a variety of high-quality materials, a prominent corner element, variable roof heights and colors, on-site and off-site landscaping, and the use of outdoor space to create visual interest.

The project is intended to offer a single building that incorporates several themes, based on the site orientation and design of each portion of the building. The portion of the building fronting Alamitos Avenue is intended to offer a larger scale and gives attention to larger residential massing to correlate with the major thoroughfare.

The entrance to the lobby is located on the ground floor of Alamitos Avenue and is aligned with 2nd Street to take full advantage of the view corridor with the incorporation of a distinct color palate, composite panel material, random window placement, and a pronounced recession of the lobby from the Alamitos Avenue facade. Ground floor activation along Alamitos Avenue is accomplished with a small plaza and seating area at the lobby entrance, glazing on the fitness center, canopies, and perimeter landscaping.

The 1st Street frontage is intended to introduce a smaller scale, reduced height, and upper-level stepbacks so the southern and western areas of the project create a transition to the lower density residential properties. The placement of a third-story outdoor courtyard along the west side of the structure also contributes to the transition by preventing monolithic walls next to the adjacent residential structures.

The ground-level commercial uses would consist of pedestrian-oriented retail/restaurant uses with small outdoor plazas adjacent to the sidewalk at the corner of Alamitos Avenue and 1st Street. The project incorporates a corner element that offers active ground-floor uses, takes advantage of ocean views with a corner roof deck, and serves as a defining element for the project.

The portion of the building facing Broadway (north elevation) offers a variety of architectural features intended to create a moderate density massing effect with the use of popouts and recesses at greater intervals, window placement, varying roof heights, and balconies that do not extend significantly from the building façade. Also visible along the north elevation is the ground-level parking garage. The applicant proposes to screen the parking garage with the use of steel wire mesh material and vines to cover the exposed concrete.

The project will consist of 136 units, ranging in area from 650 square feet to 1,739 square feet including 10 studios, 101 one-bedroom units, and 25 two-bedroom units. Open space is provided with balconies, common indoor areas, a third-story common outdoor courtyard, and a common roof-deck. Features and amenities included in the common outdoor areas are lounge furniture, a water fountain, trellis-covered barbeque areas, raised planters, common seating areas and communal tables, and a fire pit. PD-30 requires the inclusion of a community room of at least 500 square feet and the applicant is proposing a 725 square feet community room adjacent to the seventh story roof deck.

The parking garage consists of four levels of subterranean and at-grade parking containing 174 spaces, including 32 spaces in a tandem arrangement (18 percent of the total parking provided). PD-30 requires one parking space per unit and one parking space for every four units for guest parking; and exempts up to 6,000 square feet of commercial space from any parking requirements. As the project includes 136 dwelling units and 2,560 square feet of retail, the parking requirement is 170 spaces. With 174 spaces proposed, the project exceeds PD-30 parking requirements by 4 spaces.

The subject site is comprised of three parcels separated by a public alley (Alta Way) and includes a portion of public right-of-way (Olive Avenue) adjacent to Alamitos Avenue, as shown on page 8 of submitted plans. The site is currently developed with a restaurant building and a small privately operated public parking lot. In order to develop condominiums, a Tentative Tract Map is proposed to combine the three parcels, the alley, and a portion of Olive Avenue (alley and street vacation) into a single parcel with 136 condominiums under individual ownership. A Tentative Map can be approved by the Planning Commission when positive findings can be made regarding General Plan and Specific Plan compliance. The proposed development is consistent with the requirements of the General Plan as it will create additional housing and provide home ownership opportunities in the downtown area (Exhibit C – Findings & Conditions).

As the project requires the vacation of a portion of the public alley and the street known as Alta Way and Olive Avenue respectively, the Planning Commission must find that the vacation is in conformance with the General Plan, pursuant to California Government Code Section 65402. Positive General Plan consistency findings have been made for the Land Use and Mobility Elements of the General Plan. The Land Use Element categorizes the City's 21 land use districts which provide general guidance as to the type and density of land uses considered appropriate. The project site is located in Land Use District (LUD) 7-Mixed Use which is intended to blend different land uses in an effort to vitalize the City's urban structure. The proposed alley and street vacation and related development is consistent with this land use designation as the proposed development will add quality dwelling units to the downtown housing stock and increase housing choice.

A key goal of the Mobility Element is to establish a transportation system which can provide sufficient mobility for people and goods throughout the City while accommodating reasonable, balanced growth. The proposed alley vacation will not degrade circulation in the area of the project, in the downtown area or the region, nor will it contradict any policies or objectives in the Mobility Element. As designed, the proposed development reflects the Mobility Element's intent to locate both mixed-use and high-density residential developments within walking distance of major transit stations or stops, such as the Metro Blue Line rail stations along nearby Long Beach Boulevard. Further, the vacation of Alta Way and Olive Avenue will facilitate development of two prominent corridors within Downtown (Exhibit D – Tentative Tract Map) with a project that is readily accessible to pedestrians, bicyclists, and motorists, consistent with the goals of the Mobility Element.

The proposed project meets the intent of PD-30 with regard to scaling, pedestrian compatibility, quality architectural design, outdoor space and housing. Furthermore, the project serves as a gateway to the East Village Arts District. Fittingly to its location, the

project will include a public art component that acknowledges its location in this district. The Site Plan Review Committee and staff determined that the project architecture, design and layout are compatible with the surrounding area and that the project will increase housing opportunities within the downtown. Staff therefore recommends approval of the Site Plan Review, Tentative Tract Map, and the General Plan Conformity Findings for construction of 136 condominium units in conjunction with an alley and public street vacation, subject to conditions of approval.

PUBLIC HEARING NOTICE

Public hearing notices were distributed on November 18, 2015, as required by the Long Beach Municipal Code. Staff has received thirty-two letters in opposition and one letter from the Downtown Long Beach Associates (DLBA) in support of the project, as of the date of preparation of this report. The letters in opposition site CEQA compliance and downtown parking issues as major concerns for the project.

ENVIRONMENTAL REVIEW

In accordance with the Guidelines for Implementation of the California Environmental Quality Act, a Categorical Exemption (CE 15-148) was issued for the proposed project (Exhibit E – Categorical Exemption).

Respectfully Submitted,

JEFF WINKLEPLECK
CURRENT PLANNING OFFICER

LINDA F. TATUM, AICP
PLANNING BUREAU MANAGER

AMY J. BODEK, AICP
DIRECTOR OF DEVELOPMENT SERVICES

AJB:LFT:JW:CJ
P:\Planning\PC Staff Reports (Pending)\2015-12-03\Staff Report – 101 Alamitos – 1505-18

- Exhibits:
- A. Location Map
 - B. Plans & Photos
 - C. Findings & Conditions
 - D. Tentative Tract Map depicting proposed alley and street vacation
 - E. Categorical Exemption No. 15-148



CONDITIONS OF APPROVAL

SKETCH NO. 1016V

The following conditions of approval for the vacation of the portion of Alta Way that is east of Marietta Court and the portion of Olive Avenue that is north of 1st Street is conditioned on the Developer/Vacation Petitioner:

1. An easement for utility purposes shall be reserved on Olive Avenue. No building may be constructed within the easement area.
2. All publicly-owned utilities, including street lights, in the vacated portion of Alta Way and Olive Avenue are to be relocated.
3. Any required traffic control modifications are the responsibility of the vacation petitioner, and shall be installed in the public right-of-way under a street improvement permit from the Department of Public Works.
4. All street and alley curb returns that are no longer functional for the vacated street or alley shall be improved with full height curb and curb gutters.
5. Sidewalk improvements in the project area shall be completed using new Portland Cement Concrete.
6. The vacation petitioner shall resolve all storm water drainage problems related to the development.
7. Alta Way alley and Marietta Court shall be reconstructed per City standards and requirements.
8. The developer/vacation petitioner shall provide for the loss of street parking along Olive Avenue remnant right-of-way to be vacated.

The above conditions are flexible in that they may be adjusted in consideration of changing conditions or if new information is discovered prior to the adoption of the resolution ordering the vacation by the City Council. These conditions are in addition to the requirements of the City of Long Beach Planning Commission's and must be completed at the expense of the vacation petitioner and to the satisfaction of the Director of Public Works.

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Lona Beach, CA 90802-4664

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RESOLUTION NO.

A RESOLUTION OF INTENTION TO VACATE A PORTION OF ALTA WAY EAST OF MARIETTA COURT AND A PORTION OF OLIVE AVENUE NORTH OF FIRST STREET, 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 Alta Way east of Marietta Court and a portion of Olive Avenue north of First Street, in the City of Long Beach, County of Los Angeles, State of California, described more particularly as follows:

BEING PORTIONS OF LOT 15, OLIVE AVENUE AND 10.00 FOOT WIDE ALLEY IN BLOCK 98, OF THE MAP OF TOWN SITE OF LONG BEACH THE NEW SEA SIDE RESORT ON THE AMERICAN COLONY TRACT, IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON A MAP FILED IN

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Lona Beach, CA 90802-4664

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BOOK 19, PAGES 91 THROUGH 96 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EASTERLY LINE OF SAID BLOCK 98, SAID POINT BEING ON A LINE PARALLEL WITH AND 25.00 FEET NORTHERLY OF THE SOUTHERLY LINE OF LOT 15 IN SAID BLOCK 98, SAID PARALLEL LINE ALSO BEING THE SOUTHERLY LINE OF THE PARCEL DESCRIBED IN THE RESOLUTION ORDERING THE VACATION OF A PORTION OF OLIVE AVENUE, RECORDED SEPTEMBER 8, 1982 AS INSTRUMENT NO. 82-914054, OFFICIAL RECORDS; THENCE EASTERLY ALONG THE EASTERLY PROLONGATION OF SAID PARALLEL LINE AND SAID SOUTHERLY LINE, TO A POINT ON A LINE PARALLEL WITH AND 7.50 FEET WESTERLY OF THE EASTERLY LINE OF SAID TOWN SITE OF LONG BEACH; THENCE SOUTHERLY ALONG SAID PARALLEL LINE TO A POINT ON THE EASTERLY PROLONGATION OF THE SOUTHERLY LINE OF SAID BLOCK 98; THENCE WESTERLY ALONG SAID PROLONGATION TO THE SOUTHEASTERLY CORNER OF SAID BLOCK 98, SAID POINT ALSO BEING THE SOUTHEASTERLY CORNER OF LOT 28 IN SAID BLOCK 98; THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID BLOCK 98 TO THE NORTHEASTERLY CORNER OF LOT 28 OF SAID BLOCK 98, SAID POINT ALSO BEING ON THE SOUTHERLY RIGHT

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OF WAY OF A 10.00 FOOT WIDE ALLEY AS SHOWN ON SAID MAP; THENCE WESTERLY ALONG SAID SOUTHERLY RIGHT OF WAY TO THE NORTHWESTERLY CORNER OF LOT 23 OF SAID BLOCK 98, SAID POINT ALSO BEING ON THE EASTERLY RIGHT OF WAY OF A 16.00 FOOT WIDE ALLEY AS SHOWN ON SAID MAP; THENCE NORTHERLY ALONG THE NORTHERLY PROLONGATION OF SAID EASTERLY RIGHT OF WAY TO A POINT ON A LINE PARALLEL WITH AND 10.00 FEET NORTHERLY OF THE SOUTHERLY LINE OF SAID LOT 15; THENCE EASTERLY ALONG SAID PARALLEL LINE TO A POINT IN THE EASTERLY LINE OF SAID BLOCK 98; THENCE NORTHERLY ALONG SAID EASTERLY LINE TO THE POINT OF BEGINNING.

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, REPAIR, RENEW, REPLACE, CHANGE THE SIZE OF AND REMOVE THE EXISTING UTILITY LINES, INCLUDING, BUT NOT LIMITED TO, SANITARY SEWERS, STORM DRAINS AND APPURTENANT STRUCTURES, TOGETHER WITH ALL NECESSARY GATES, VALVES, FITTINGS, HYDRANTS AND APPURTENANCES FOR THE TRANSPORTATION OF WATER AND GAS, WITH THE RIGHT OF INGRESS TO AND EGRESS FROM THE SAME, OVER, THROUGH, UNDER, ALONG AND ACROSS THAT CERTAIN PROPERTY VACATED HEREWITH; AND

1 PURSUANT TO ANY EXISTING FRANCHISES OR
2 RENEWALS THEREOF, OR OTHERWISE, TO
3 CONSTRUCT, MAINTAIN, OPERATE, REPLACE,
4 REMOVE, RENEW AND ENLARGE LINES OF CONDUITS,
5 CABLES, WIRES, POLES AND OTHER CONVENIENT
6 STRUCTURES, EQUIPMENT AND FIXTURES FOR THE
7 OPERATION OF TELEPHONE LINES AND OTHER
8 COMMUNICATION LINES, AND FOR THE
9 TRANSPORTATION OR DISTRIBUTION OF ELECTRIC
10 ENERGY, AND INCIDENTAL PURPOSES INCLUDING
11 ACCESS AND THE RIGHT TO KEEP THE PROPERTY
12 FREE FROM INFLAMMABLE MATERIALS, AND WOOD
13 GROWTH, AND OTHERWISE PROTECT THE SAME FROM
14 ALL HAZARDS IN, UPON AND OVER THE PART
15 VACATED. ACCESS FOR MAINTENANCE OF THE ABOVE-
16 MENTIONED FACILITIES MUST BE MAINTAINED AT ALL
17 TIMES. NO IMPROVEMENTS SHALL BE CONSTRUCTED
18 WITHIN THE EASEMENT WHICH WOULD IMPEDE THE
19 OPERATION, MAINTENANCE OR REPAIR OF SAID
20 FACILITIES. CONSTRUCTION OF ANY IMPROVEMENTS,
21 INCLUDING CHANGES OF GRADE, SHALL BE SUBJECT
22 TO THE PRIOR WRITTEN APPROVAL OF ALL THE CITY
23 DEPARTMENTS AND PUBLIC UTILITIES RESPONSIBLE
24 FOR THE ABOVE SAID FACILITIES.

25 Section 2. All of the foregoing real property is shown on the map or plan
26 thereof, attached hereto as Exhibit "A", and on file in the office of the City Clerk, which
27 map or plan is known and referred to as "City of Long Beach Department of Public Works
28 Vacation Sketch No. 1016V".

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

1 Section 3. The City Council hereby fixes the ___ day of _____, 2016
2 at the hour of 5:00 p.m., as the time and the City Council Chamber, Plaza Level of the
3 City Hall, 333 West Ocean Boulevard, in the City of Long Beach, California, as the place
4 for hearing all persons interested in or objecting to the proposed vacation.

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

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

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

15 I hereby certify that the foregoing resolution was adopted by the City
16 Council of the City of Long Beach at its meeting of _____, 2016
17 by the following vote:

18
19 Ayes: Councilmembers: _____

20 _____

21 _____

22 _____

23 Noes: Councilmembers: _____

24 _____

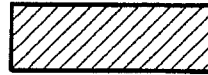
25 Absent: Councilmembers: _____

26 _____

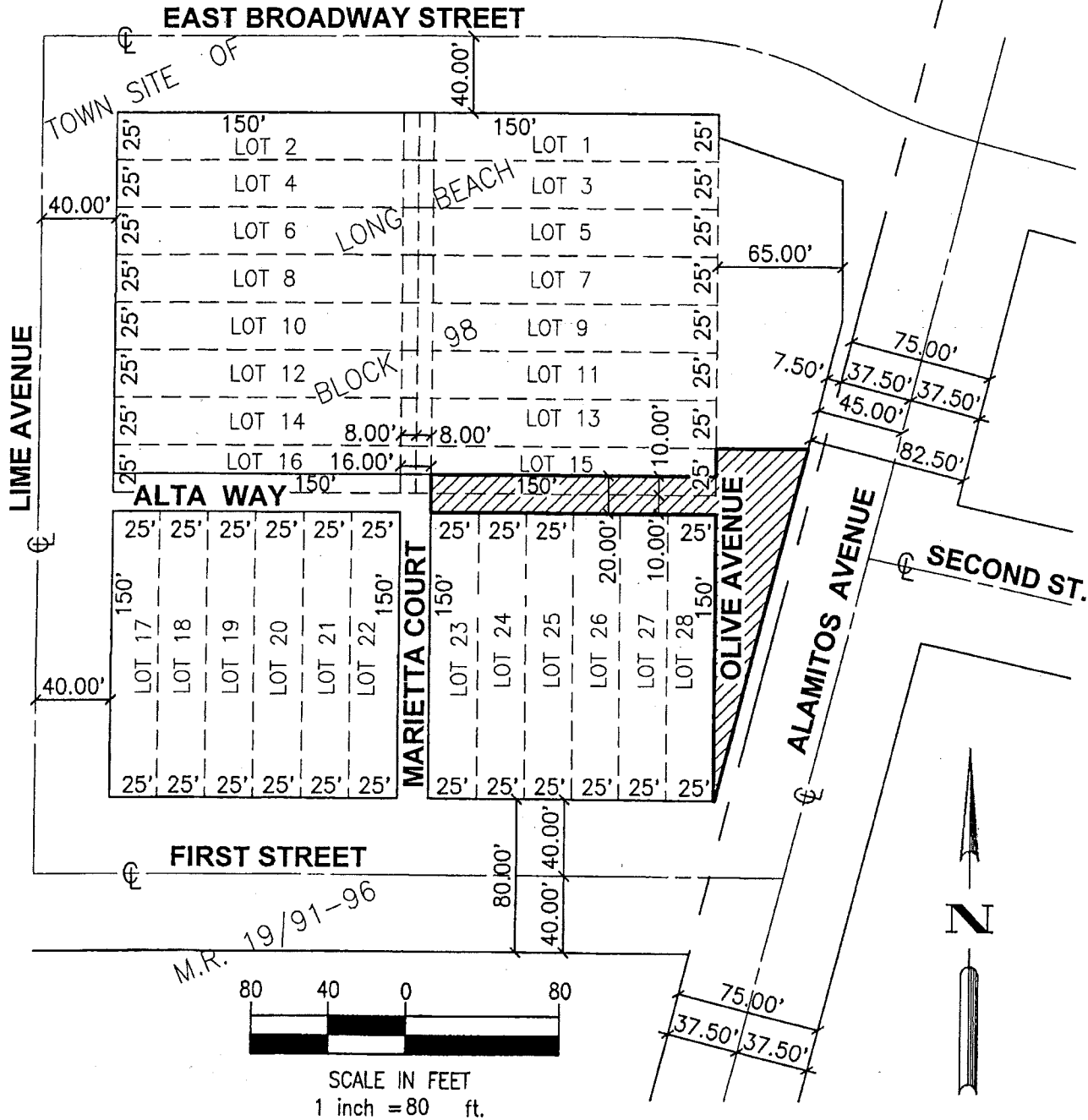
27 _____

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City Clerk

EXHIBIT "A"
PLOT PLAN FOR STREET VACATION
IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES,
STATE OF CALIFORNIA



AREA TO BE VACATED



BY: B.J.W.
 DATE: 11-18-2015
 SCALE: 1" = 80'

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