

May 17, 2022

**C-16**

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

**RECOMMENDATION:**

Adopt the revised Resolution of Intention to vacate the streets and alleys within the Seaport Village complex located at 5601 Paramount Boulevard; and,

Reset the Vacation Public Hearing from April 12, 2022 to June 21, 2022. (District 8)

**DISCUSSION**

Avanath Seaport, LLC, owner of the property at 5601 Paramount Boulevard, requests the vacation of the streets and alleys within the Seaport Village complex, 56th Way, 60-foot wide, between Paramount Boulevard, and Langport Avenue; Langport Avenue between 56th Street and 55th Way; the east/west alley north of 56th Way, 20-foot wide between Paramount Boulevard and Langport Avenue; 56th Street, 60-foot wide between Paramount Boulevard and Langport Avenue; the east/west alley north of 55th Way, 20-foot wide between Paramount Boulevard and Langport Avenue; and 55th Way, 60-foot wide between Paramount Boulevard and Langport Avenue (Attachment A). The proposed vacation does not include the corner cut-offs along the Paramount Boulevard sidewalk (Attachment A).

On March 8, 2022, the City Council authorized a Resolution of Intention to vacate the streets and alleys within the Seaport Village complex located at 5601 Paramount Boulevard. The March 8, 2022 staff report and Resolution of Intention to vacate the interior streets and alleys within the Seaport Village apartment complex, located at 5601 Paramount Boulevard, included an error in the legal description. The previous legal description vacated corner cut-offs along the Paramount Boulevard sidewalk which are required for ADA compliant sidewalks and should remain public. The City of Long Beach (City) is reinitiating the vacation process for the Seaport Village complex with corner cut-off's removed from the legal description (Exhibit A of the Resolution). All other streets and alleys listed on the March 8<sup>th</sup> item will remain as unchanged.

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 not necessary for present or prospective public use. The Public Works Department supports this vacation based on findings that these public streets are not necessary as vehicular or pedestrian thoroughfares.

In addition, to avoid landlocking the lots after the vacation is recorded, City staff recommends that the vacation be conditioned on a requirement that the property owner(s) process and record access easements for the 33 parcels affected by the vacation to ensure the sidewalks

and roadways remain legally accessible for the 33 parcels. This will result in the creation of private streets and common areas within the Seaport Village Apartment complex. This condition is reflected in Exhibit B to the Resolution.

The necessary City departments have reviewed the proposed right of way vacation and have no objections to this action but provided conditions in addition to the condition identified above. These additional recommended conditions to be imposed on this vacation are attached hereto (Attachment B).

On August 19, 2021, the Planning Commission determined that the proposed vacation was found to be in conformance with all elements of the City's General Plan (Attachment C). This is not a project under the California Environmental Quality Act (CEQA), per section 153378 of the CEQA guidelines, and no environmental review is required.

This matter was reviewed by Deputy City Attorney Erin Weesner-McKinley on May 2, 2022 and by Budget Management Officer Nader Kaamouch on April 28, 2022.

#### TIMING CONSIDERATIONS

City Council action is requested on May 17, 2022, to set a public hearing date on this matter for June 21, 2022.

#### FISCAL IMPACT

A tentative vacation processing fee in the amount of \$7,236 was deposited in the General Fund Group in the Public Works Department. A final fee in the amount of \$5,575 will be paid before the public hearing date. This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities. There is no local job impact associated with this recommendation.

#### SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



ERIC LOPEZ  
DIRECTOR OF PUBLIC WORKS

APPROVED:



THOMAS B. MODICA  
CITY MANAGER

EL:MS:BP:sdj:ll:rm

Attachments: Resolution of Intent to Vacate  
A – Vacation Sketch  
B – Conditions for The Vacation  
C – Planning Commission Staff Report

RESOLUTION NO.

A RESOLUTION OF INTENTION TO VACATE THE  
STREETS AND ALLEYS WITHIN THE SEAPORT VILLAGE  
COMPLEX LOCATED AT 5601 PARAMOUNT BOULEVARD,  
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 the  
streets and alleys within the Seaport Village complex located at 5601 Paramount  
Boulevard, in the City of Long Beach, County of Los Angeles, State of California, as  
described on the attached Exhibit "A", and as shown on the attached Exhibit "B".

Section 2. Easement Reservations: 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, water mains and  
appurtenant structures, together with all necessary gates, valves, fittings, hydrants and  
appurtenances for the transportation of water with the right of ingress to and egress from  
the same, over, through, under, along and across that certain property vacated herewith;

1 and pursuant to any existing franchises or renewals thereof, or otherwise, to construct,  
2 maintain, operate, replace, remove, renew and enlarge lines of conduits, cables, wires,  
3 poles and other convenient structures, equipment and fixtures for the operation of  
4 telephone lines and other communication lines, and for the transportation or distribution of  
5 electric energy, and incidental purposes including access and the right to keep the property  
6 free from inflammable materials, and wood growth, and otherwise protect the same from  
7 all hazards in, upon and over the part vacated. Access for maintenance of the above-  
8 mentioned facilities must be maintained at all times. No improvements shall be constructed  
9 within the easement which would impede the operation, maintenance or repair of said  
10 facilities. Construction of any improvements, including changes of grade, shall be subject  
11 to the prior written approval of all the City departments and public utilities responsible for  
12 the above said facilities.

13               Section 3. All of the foregoing real property is shown on the map or plan  
14 thereof, attached hereto as Exhibit "C", and on file in the office of the City Clerk, which map  
15 or plan is known and referred to as City of Long Beach Department of Public Works  
16 Vacation Sketch No. 1032V.

17               Section 4. The City Council hereby fixes June 21, 2022 at the hour of 5:00  
18 p.m., as the time and the Civic Chamber, 411 West Ocean Boulevard, in the City of Long  
19 Beach, California, as the place for hearing all persons interested in or objecting to the  
20 proposed vacation, pursuant to applicable health orders.

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

25               Section 6. The City Council hereby directs that notice of this street  
26 vacation be posted conspicuously along the street proposed to be vacated at least two (2)  
27 weeks before the date set for hearing and in the manner provided by Section 8323 of the  
28 State Streets and Highways Code.

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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 \_\_\_\_\_, 2022 by the following vote:

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\_\_\_\_\_

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EXHIBIT "A"

LEGAL DESCRIPTION  
STREET & ALLEY VACATION – INTERIOR

THAT CERTAIN REAL PROPERTY IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

THAT PORTION OF THE LAND SHOWN ON A MAP OF TRACT NO. 27326 RECORDED IN BOOK 694 PAGES 64 AND 65, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEASTERLY TERMINUS OF THAT CERTAIN COURSE SHOWN AS "N 44°35'20" E 14.14'" IN THE NORTHERLY LINE OF 56<sup>TH</sup> WAY (FORMERLY FIFTY SIXTH WAY), 60 FEET WIDE, AS SHOWN ON SAID MAP, SAID POINT ALSO BEING IN THE WESTERLY LINE OF PARAMOUNT BOULEVARD, 110 FEET WIDE, AS SHOWN ON SAID MAP;

THENCE ALONG SAID NORTHERLY LINE SOUTH 44° 35' 20" WEST 14.14 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID NORTHERLY LINE SOUTH 89° 35' 20" WEST 375.00 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 85.00 FEET;

THENCE CONTINUING ALONG SAID NORTHERLY LINE WESTERLY, SOUTHWESTERLY, AND SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90° 00' 00" AN ARC DISTANCE OF 133.52 FEET, SAID POINT ALSO BEING IN THE WESTERLY LINE OF LANGPORT AVENUE, 60 FEET WIDE, AS SHOWN ON SAID MAP;

THENCE ALONG SAID WESTERLY LINE SOUTH 0° 24' 40" EAST 476.00 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 85.00 FEET;

THENCE CONTINUING ALONG SAID WESTERLY LINE SOUTHERLY, SOUTHEASTERLY, AND EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90° 00' 00" AN ARC DISTANCE OF 133.52 FEET, SAID POINT ALSO BEING IN THE SOUTHERLY LINE OF 55<sup>TH</sup> WAY (FORMERLY FIFTY FIFTH WAY), 60 FEET WIDE, AS SHOWN ON SAID MAP;

THENCE ALONG SAID SOUTHERLY LINE TO THE EASTERLY TERMINUS OF THAT CERTAIN COURSE IN SAID SOUTHERLY LINE SHOWN AS "N 89° 35' 20" E 375.00" NORTH 89° 35' 20" EAST 375.00 FEET;

**-- LEGAL DESCRIPTION CONTINUED --**

**-- LEGAL DESCRIPTION CONTINUED --**

THENCE LEAVING SAID SOUTHERLY LINE NORTHERLY IN A DIRECT LINE TO THE EASTERLY TERMINUS OF THAT CERTAIN COURSE IN THE NORTHERLY LINE OF SAID 55<sup>TH</sup> WAY SHOWN AS "N 89° 35' 20" E 375.00'" NORTH 00° 24' 40" WEST 60.00 FEET;

THENCE ALONG LAST SAID NORTHERLY LINE SOUTH 89° 35' 20" WEST 375.00 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 25.00 FEET;

THENCE CONTINUING ALONG LAST SAID NORTHERLY LINE WESTERLY, NORTHWESTERLY, AND NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90° 00' 00" AN ARC DISTANCE OF 39.27 FEET, SAID POINT ALSO BEING IN THE EASTERLY LINE OF SAID LANGPORT AVENUE;

THENCE ALONG SAID EASTERLY LINE NORTH 00° 24' 40" WEST 81.50 FEET TO ITS INTERSECTION WITH THE SOUTHERLY LINE OF THE 20-FOOT WIDE ALLEY LOCATED NORTH OF SAID 55<sup>TH</sup> WAY AND SOUTH OF 56<sup>TH</sup> STREET (FORMERLY FIFTY SIXTH STREET), 60 FEET WIDE, AS SHOWN ON SAID MAP;

THENCE ALONG LAST SAID SOUTHERLY LINE NORTH 89° 35' 20" EAST 410.00 FEET TO ITS INTERSECTION WITH SAID WESTERLY LINE OF PARAMOUNT BOULEVARD;

THENCE ALONG LAST SAID WESTERLY LINE NORTH 00° 24' 40" WEST 20.00 FEET TO ITS INTERSECTION WITH THE NORTHERLY LINE OF SAID ALLEY;

THENCE ALONG LAST SAID NORTHERLY LINE SOUTH 89° 35' 20" WEST 410.00 FEET TO ITS INTERSECTION WITH SAID EASTERLY LINE OF LANGPORT AVENUE;

THENCE ALONG LAST SAID EASTERLY LINE NORTH 00° 24' 40" WEST 96.50 FEET;

THENCE CONTINUING ALONG LAST SAID EASTERLY LINE NORTH 44° 35' 20" EAST 14.14 FEET TO ITS INTERSECTION WITH THE SOUTHERLY LINE OF SAID 56<sup>TH</sup> STREET;

THENCE ALONG LAST SAID SOUTHERLY LINE TO THE EASTERLY TERMINUS OF THAT CERTAIN COURSE IN LAST SAID SOUTHERLY LINE SHOWN AS "N 89° 35' 20" E 390.00'" NORTH 89° 35' 20" EAST 390.00 FEET;

**-- LEGAL DESCRIPTION CONTINUED --**

**-- LEGAL DESCRIPTION CONTINUED --**

THENCE LEAVING LAST SAID SOUTHERLY LINE NORTHERLY IN A DIRECT LINE TO THE EASTERLY TERMINUS OF THAT CERTAIN COURSE IN THE NORTHERLY LINE OF SAID 56<sup>TH</sup> STREET SHOWN AS "N 89° 35' 20" E 390.00'" NORTH 00° 24' 40" WEST 60.00 FEET;

THENCE WESTERLY ALONG LAST SAID NORTHERLY LINE SOUTH 89° 35' 20" WEST 390.00 FEET;

THENCE CONTINUING ALONG LAST SAID NORTHERLY LINE NORTH 45° 24' 40" WEST 14.14 FEET TO ITS INTERSECTION WITH SAID EASTERLY LINE OF LANGPORT AVENUE;

THENCE ALONG LAST SAID EASTERLY LINE NORTH 00° 24' 40" WEST 96.50 FEET TO ITS INTERSECTION WITH THE SOUTHERLY LINE OF THE 20-FOOT WIDE ALLEY LOCATED NORTH OF SAID 56<sup>TH</sup> STREET AND SOUTH OF SAID 56<sup>TH</sup> WAY;

THENCE ALONG LAST SAID SOUTHERLY LINE NORTH 89° 35' 20" EAST 410.00 FEET TO ITS INTERSECTION WITH SAID WESTERLY LINE OF PARAMOUNT BOULEVARD;

THENCE ALONG LAST SAID WESTERLY LINE NORTH 00° 24' 40" WEST 20.00 FEET TO ITS INTERSECTION WITH THE NORTHERLY LINE OF LAST SAID ALLEY;

THENCE ALONG LAST SAID NORTHERLY LINE SOUTH 89° 35' 20" WEST 410.00 FEET TO ITS INTERSECTION WITH SAID EASTERLY LINE OF LANGPORT AVENUE;

THENCE ALONG LAST SAID EASTERLY LINE NORTH 00° 24' 40" WEST 81.50 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 25.00 FEET;

THENCE CONTINUING ALONG LAST SAID EASTERLY LINE NORTHERLY, NORTHEASTERLY, AND EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90° 00' 00" AN ARC DISTANCE OF 39.27 FEET, SAID POINT ALSO BEING IN THE SOUTHERLY LINE OF SAID 56<sup>TH</sup> WAY;

THENCE ALONG LAST SAID SOUTHERLY LINE TO THE EASTERLY TERMINUS OF THAT CERTAIN COURSE IN LAST SAID SOUTHERLY LINE SHOWN AS "N 89° 35' 20" E 375.00'" NORTH 89° 35' 20" EAST 375.00 FEET;

**-- LEGAL DESCRIPTION CONTINUED --**



-- LEGAL DESCRIPTION CONTINUED --

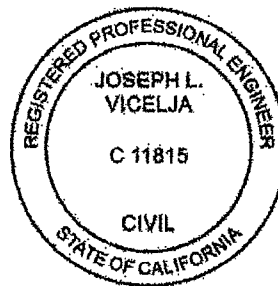
THENCE LEAVING LAST SAID SOUTHERLY LINE NORTHERLY IN A DIRECT LINE TO THE EASTERLY TERMINUS OF THAT CERTAIN COURSE IN THE NORTHERLY LINE OF SAID 56<sup>TH</sup> WAY SHOWN AS "N 89° 35' 20" E 375.00" NORTH 00° 24' 40" WEST 60.00 FEET TO THE TRUE POINT OF BEGINNING;

CONTAINING 124,428 SQUARE FEET, MORE OR LESS;

SUBJECT TO ANY COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS, RIGHTS-OF-WAY OR EASEMENTS OF RECORD, IF ANY.

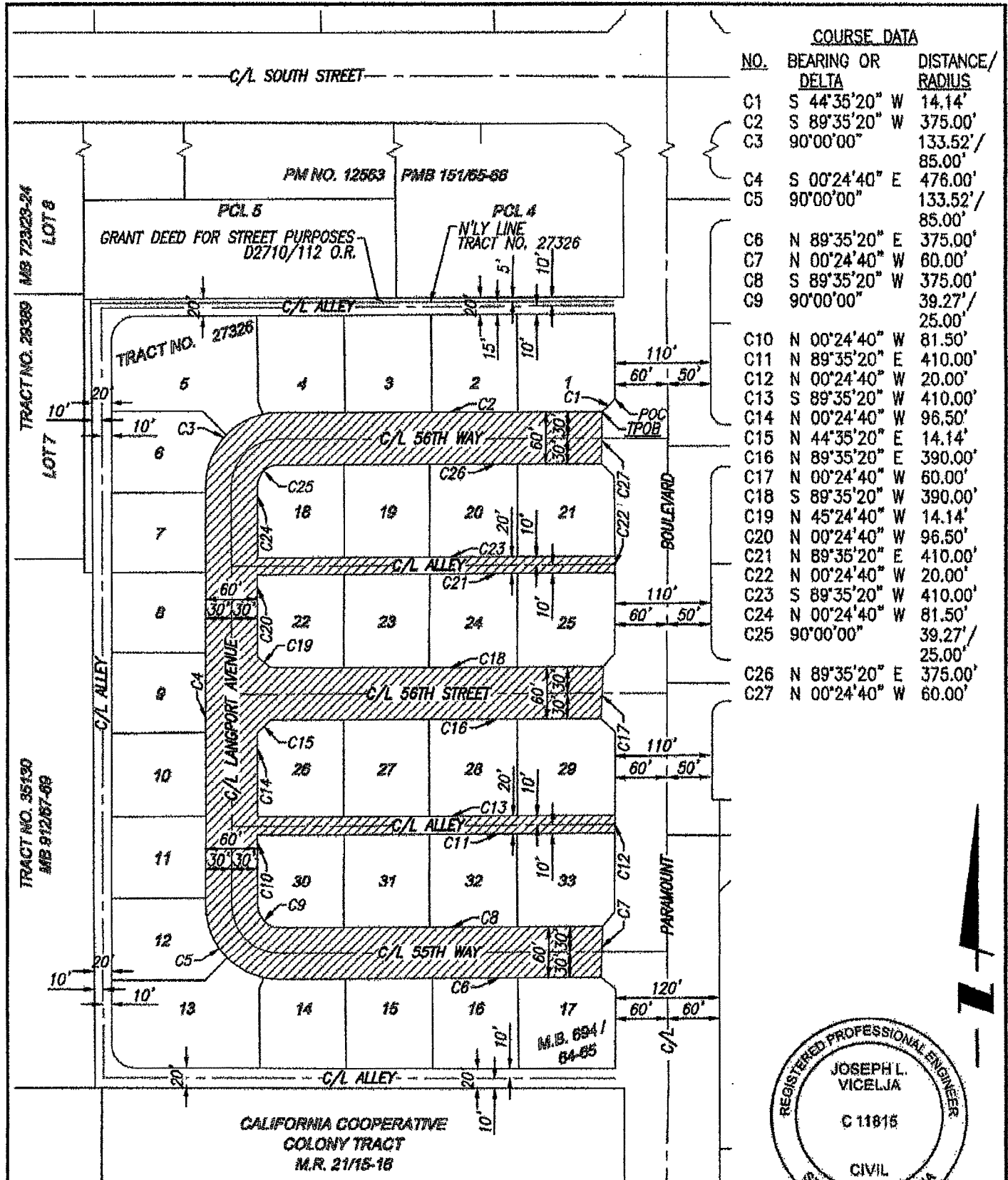
PREPARED UNDER MY SUPERVISION:

Joseph L. Vicelja 3/18/20  
JOSEPH L. VICELJA, PE 11815 DATE

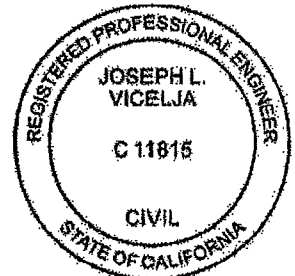


*See Exhibit "B" attached hereto and by this reference made a part hereof*

March 17, 2020  
p:\jn1809 seaport village\reports\legal description - vacation interior.docx



| COURSE DATA |                  |                  |
|-------------|------------------|------------------|
| NO.         | BEARING OR DELTA | DISTANCE/ RADIUS |
| C1          | S 44°35'20" W    | 14.14'           |
| C2          | S 89°35'20" W    | 375.00'          |
| C3          | 90°00'00"        | 133.52'/ 85.00'  |
| C4          | S 00°24'40" E    | 476.00'          |
| C5          | 90°00'00"        | 133.52'/ 85.00'  |
| C6          | N 89°35'20" E    | 375.00'          |
| C7          | N 00°24'40" W    | 60.00'           |
| C8          | S 89°35'20" W    | 375.00'          |
| C9          | 90°00'00"        | 39.27'/ 25.00'   |
| C10         | N 00°24'40" W    | 81.50'           |
| C11         | N 89°35'20" E    | 410.00'          |
| C12         | N 00°24'40" W    | 20.00'           |
| C13         | S 89°35'20" W    | 410.00'          |
| C14         | N 00°24'40" W    | 96.50'           |
| C15         | N 44°35'20" E    | 14.14'           |
| C16         | N 89°35'20" E    | 390.00'          |
| C17         | N 00°24'40" W    | 60.00'           |
| C18         | S 89°35'20" W    | 390.00'          |
| C19         | N 45°24'40" W    | 14.14'           |
| C20         | N 00°24'40" W    | 96.50'           |
| C21         | N 89°35'20" E    | 410.00'          |
| C22         | N 00°24'40" W    | 20.00'           |
| C23         | S 89°35'20" W    | 410.00'          |
| C24         | N 00°24'40" W    | 81.50'           |
| C25         | 90°00'00"        | 39.27'/ 25.00'   |
| C26         | N 89°35'20" E    | 375.00'          |
| C27         | N 00°24'40" W    | 60.00'           |



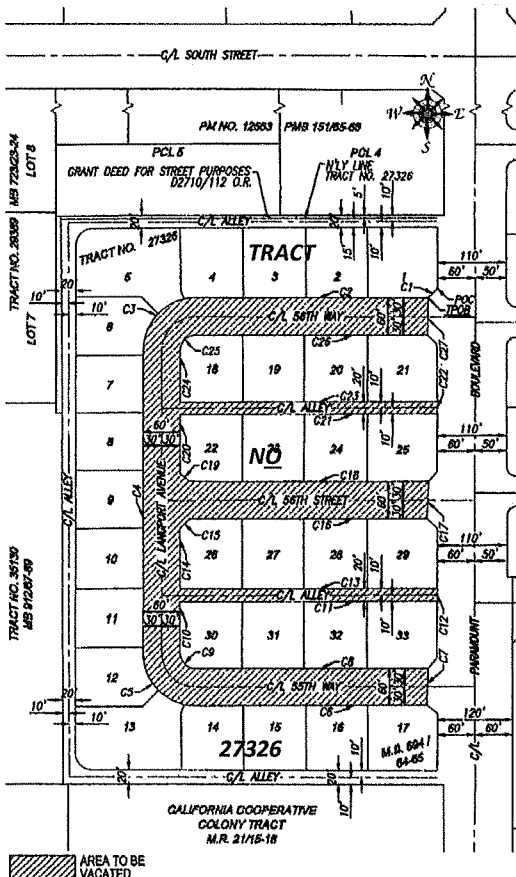
NOTE: THIS SKETCH IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT A SURVEY OF THE AREA TO BE VACATED.

**VE** VICELJA ENGINEERING  
2029 VIA ENCANTO  
LOMITA, CA 90717  
(310) 530-4970

SCALE: 1"=150' SHEET 1 OF 1  
DRAWN BY: GTH  
CHECKED BY: JLV DATE: Mar 14, 2020

*Joseph L. Vicelja* 3/18/20  
JOSEPH L. VICELJA, PE 11816 DATE

EXHIBIT "B"  
SKETCH TO ACCOMPANY  
LEGAL DESCRIPTION



| COURSE DATA |                  |                  |
|-------------|------------------|------------------|
| NO.         | BEARING OR DELTA | DISTANCE/ RADIUS |
| C1          | S 44°35'20" W    | 14.14'           |
| C2          | S 89°35'20" W    | 375.00'          |
| C3          | 90°00'00"        | 133.52'          |
| C4          | S 00°24'40" E    | 476.00'          |
| C5          | 90°00'00"        | 133.52'          |
| C6          | N 89°35'20" E    | 375.00'          |
| C7          | N 00°24'40" W    | 60.00'           |
| C8          | S 89°35'20" W    | 375.00'          |
| C9          | 90°00'00"        | 39.27'           |
| C10         | N 00°24'40" W    | 25.00'           |
| C11         | N 89°35'20" E    | 410.00'          |
| C12         | N 00°24'40" W    | 20.00'           |
| C13         | S 89°35'20" W    | 410.00'          |
| C14         | N 00°24'40" W    | 96.50'           |
| C15         | N 44°35'20" E    | 14.14'           |
| C16         | N 89°35'20" E    | 380.00'          |
| C17         | N 00°24'40" W    | 60.00'           |
| C18         | S 89°35'20" W    | 390.00'          |
| C19         | N 45°24'40" W    | 14.14'           |
| C20         | N 00°24'40" W    | 96.50'           |
| C21         | N 89°35'20" E    | 410.00'          |
| C22         | N 00°24'40" W    | 20.00'           |
| C23         | S 89°35'20" W    | 410.00'          |
| C24         | N 00°24'40" W    | 81.50'           |
| C25         | 90°00'00"        | 39.27'           |
| C26         | N 89°35'20" E    | 25.00'           |
| C27         | N 00°24'40" W    | 60.00'           |

### EXHIBIT C

### SKETCH NO 1032V

SKETCH SHOWING STREETS AND ALLEYS  
WITHIN TRACT 27326 TO BE VACATED BY  
THE CITY OF LONG BEACH

RESOLUTION OF INTENTION TO VACATE ADOPTED  
ON \_\_\_\_\_, 2022, AS RES \_\_\_\_\_.

RESOLUTION ORDERING THE VACATION ADOPTED  
ON \_\_\_\_\_, 2022 AS RES \_\_\_\_\_, AND RECORDED  
ON \_\_\_\_\_, AS DOCUMENT NO. \_\_\_\_\_

**ENGINEERING BUREAU  
CITY OF LONG BEACH, CALIFORNIA**

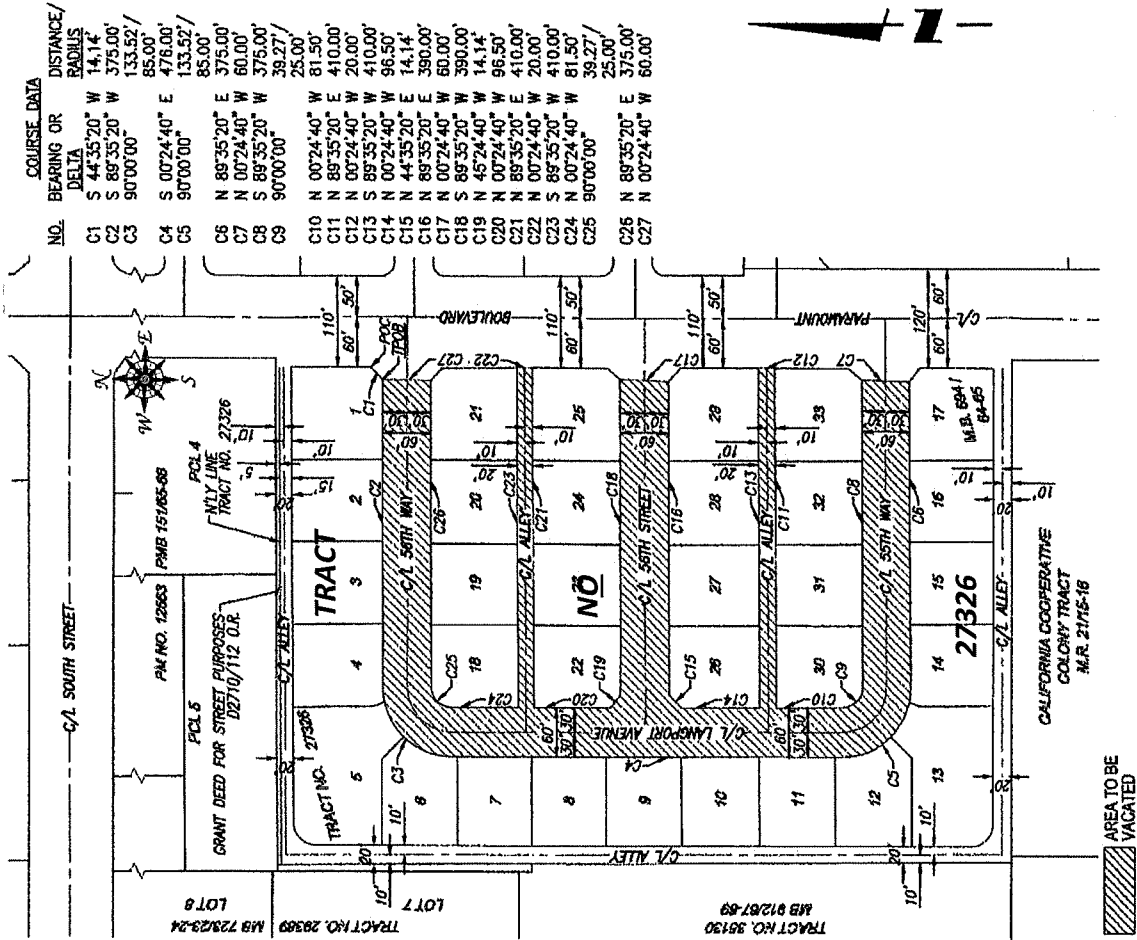
# SKETCH NO 1032V

SKETCH SHOWING STREETS AND ALLEYS  
WITHIN TRACT 27326 TO BE VACATED BY  
THE CITY OF LONG BEACH

## ATTACHMENT A

RESOLUTION OF INTENTION TO VACATE ADOPTED  
ON March 8, 2022, AS RES 22-0042.

RESOLUTION ORDERING THE VACATION ADOPTED  
ON \_\_\_\_\_, 2022 AS RES \_\_\_\_\_, AND RECORDED  
ON \_\_\_\_\_ AS DOCUMENT NO. \_\_\_\_\_



ENGINEERING BUREAU  
CITY OF LONG BEACH, CALIFORNIA

**CONDITIONS OF VACATION APPROVAL**

Utility easements shall be reserved over the vacated rights of way as shown on the attached Sketch No. 1032V. No buildings or any other vertical structures are to be constructed over the utility courses.

1. Long Beach Energy Resources (LBER):
  - Existing gas facility shall be relocated, or a full access easement reserved with the following easement conditions:
    1. 24 hr. access shall be provided for emergency access to the Long Beach Energy gas facility.
    2. If vacation petitioner/developer requests the relocation of the gas lines, it would be done so that the same dual feed is maintained, with all cost responsibility on the developer.
2. Fire Department requires a fire access plan to be submitted to Deputy Fire Marshal for review. This is to ensure that the correct fire lanes will be maintained. The plans should state, "Fire access review – converting public streets to private streets" and provide the name of the agency that will be responsible for the private roadways going forward. Below, are items that must be detailed on the plans:
  - Identify the areas for no parking, red curbing and signage.
  - Fire lane widths and turning radius.
  - Hydrant markings (blue dot)
  - Street names (if changing)
  - Any proposed gated entry shall be constructed to a size suitable for firetruck access.
3. City street light and Power: To the satisfaction of the Director of Public Works, all publicly owned street light standards in that portion of the vacated streets and alleys, must be returned to the City, or purchased by the vacation petitioner. The vacation petitioner shall be responsible for making all the necessary changes to the power network that feed the street lighting, removing the City from the billing.
4. Any required traffic control modifications along Paramount Boulevard is the responsibility of the vacation petitioner. The vacation petitioner shall provide for any required traffic control modification in the public right-of-way along Paramount Boulevard. A street improvement permit from the Department of Public Works shall be required. All traffic control modifications within the vacated rights of way, is the responsibility of the vacation petitioner, and shall be per the current Traffic Control Manual.
5. All streets and alley curb return that are no longer functional for the vacated streets or alleys shall be improved with full height sidewalks, curb and curb gutters to the satisfaction of the Director of Public Works.
6. The vacation petitioner shall, at its cost, resolve all the conditions stated herein along with any storm water drainage problems resulting from the vacation to the satisfaction of the Director of Public Works.

August 19, 2021

CHAIR AND PLANNING COMMISSIONERS

City of Long Beach  
California

RECOMMENDATION:

Find the proposed vacation of the portions of 55<sup>th</sup> Way, 56<sup>th</sup> Way, and 56<sup>th</sup> Street west of Paramount Boulevard, Langport Avenue, and two unnamed, east-west, alleys generally located between 55<sup>th</sup> Way to the south and 56<sup>th</sup> Way to the north, in conformance with the adopted goals and policies of the City's General Plan (GPC20-001). (District 8)

APPLICANT: Nicholas A. Dunlop c/o Avanath Seaport LLC  
1920 Main Street, Suite 150  
Irvine CA, 92614  
(Application No. 2007-16)

**DISCUSSION**

**Background**

The subject request is a finding of conformance with the City of Long Beach General Plan for the vacation of 55<sup>th</sup> Way, 56<sup>th</sup> Street, 56<sup>th</sup> Way, and two (2) unnamed east-west alleys between Paramount Boulevard to the east and Langport Avenue to the west and Langport Avenue from 56<sup>th</sup> Way to the North to 55<sup>th</sup> Way to the south. These public rights-of-way generally provide internal circulation for the Seaport Village Apartments, an apartment complex which has as its street address 2696 55<sup>th</sup> Way – 2697 56<sup>th</sup> Way (Attachment A - Vicinity Map). The rights-of-way provide the circulation to 33 buildings on 33 individuals lots that make up that Seaport Village Apartments. The project site is located in the R-4-R (Moderate Density Multifamily Residential District) Zoning District and has a General Plan Land Use Element PlaceType of NSC-M (Neighborhood Serving Center or Corridor – Moderate). The applicant proposes to vacate the subject streets and alleyways to mitigate and deter crime and nuisance activity taking place in the development (see further discussion below). The vacation request is subject to a finding of conformance with the General Plan.

The site was originally subdivided in 1962 under Tract No. 27326, which created the current lot configuration of the Seaport Village Apartments and the surrounding streets and alleys. The subdivision resulted in the creation of 33 lots, ranging in lot size from 10,600 square feet to



## CHAIR AND PLANNING COMMISSIONERS

August 19, 2021

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20,030 square feet in-size (Attachment B – Tract No. 27326). This subdivision also formed the current rights-of-ways that are proposed to be vacated, including 55<sup>th</sup> Way, 56<sup>th</sup> Street, 56<sup>th</sup> Way, and Langport Avenue, which are all identified as local streets that are 60-foot wide (Attachment C – Vacation Exhibit). There are also five (5) unnamed alleys that serve the site, two providing east-west access in the interior of the development as well as three alleys that abut the perimeter of the site on the north, south and west sides and largely provide access to parking. The three alleys that ring the perimeter are not included in the vacation request and will remain as public rights-of-way. The development, consisting of 358 dwelling units, was built in 1962-1963 and was designed by Killingsworth, Brady & Smith. The units are housed in 33 separate, two-story buildings and have associated covered parking<sup>1</sup>.

The applicant is currently pursuing the vacation application with the Public Works Department; a General Plan Conformity is required before it may proceed further. This request proposes the vacation of approximately 2,287 linear feet of public streets and 820 feet of public alleys around which the Seaport Village Apartments is developed (Attachment B - Tract No. 27326). Table 1 provides a summary of the right-of-way features.

| Table 1 - Existing Right-of-Ways                               |         |                     |  |
|--|---------|---------------------|--|
| Location   | Width   | Direction           | Features   |
| Langport Avenue  | 60 feet | One-way north-south | Sidewalks and on street parking                    |
| 55 <sup>th</sup> Way (exit)                                    | 60 feet | One-way east-west   | Sidewalks and on street parking                    |
| 56 <sup>th</sup> Street (entrance)                             | 60 feet | One-way east-west   | Sidewalks and on street parking                    |
| 56 <sup>th</sup> Way (exit)                                    | 60 feet | One-way east-west   | Sidewalks and on street parking                    |
| Alley (Between 55 <sup>th</sup> Way & 56 <sup>th</sup> Street) | 20 feet | East-west           | Access to parking spaces in the existing car ports |
| Alley (Between 56 <sup>th</sup> Way & 56 <sup>th</sup> Street) | 20 feet | East-west           | Access to parking spaces in the existing car ports |

Upon vacation, the rights-of-way would be merged with the 33 adjoining lots which are all under a single ownership and would increase the overall size of the project site.

Access to the site is currently taken from 56<sup>th</sup> street, a one-way street which is the main entrance to the development that is accessed from Paramount Boulevard and leads to Langport Avenue. Langport Avenue, which runs north to south, connects to 56<sup>th</sup> Street to the north and 55<sup>th</sup> Way to the south, which are both main exits of the development that lead out to Paramount Boulevard (Attachment D - Site Photos). Although all 33 lots are owned by the same property owner, to avoid landlocking the lots, a condition of approval requiring a reciprocal access agreement to be recorded with the Los Angeles County Recorder would be required upon approval by City Council.

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<sup>1</sup> The project site was examined for historic significance. Although the development was designed by Killingsworth, Brady & Smith, the level of architectural detail to the structures within the development resulted in this development to not be of historic significance.

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In addition, to the street closure the applicant is also seeking to install vehicular rolling gates, pedestrian gates, and fences along 55<sup>th</sup> Way, 56<sup>th</sup> Way, and 56<sup>th</sup> Street. Despite the vacation and the fencing, the streets will largely continue to function as they do today. The fence and gates along 55<sup>th</sup> Way and 56<sup>th</sup> Way are proposed to be setback 40-feet from the property lines along Paramount Boulevard, and the streets will continue to function as they do today as one way exits from the property. The fence and gates proposed along the main entrance of 56<sup>th</sup> Street, will be setback 80-feet from the property line along Paramount Boulevard and will allow four (4) vehicles to queue on the site to avoid queuing and traffic impacts on Paramount Boulevard. Between the year 2011 and 2015, two, six (6) foot six (6) inch high rolling vehicle gates were installed at the entrance to the two (2) east-west alleys that run between and parallel 55<sup>th</sup> Way and 56<sup>th</sup> Way. The two gates installed near the western terminus of the alleys are currently setback approximately 10 feet from the property lines along Paramount Boulevard. Pursuant to Chapter 21.43 – Fences and Garden Walls, a fence or gate within the front yard setback area (15 feet in this case) is typically limited to three (3) feet. However, Staff finds that the existing gates are consistent with a City policy established in 2005 by the Zoning Administrator at the time and may remain<sup>2</sup>. The existing two (2) vehicular gates located along Paramount Boulevard will provide emergency and utility access only, and the two existing vehicular gates that abut Langport Avenue will remain unlocked at all times.

### GENERAL PLAN CONSISTENCY FINDINGS

Before an application for the vacation of the public rights-of-way can go before the City Council, a finding of conformity with the maps and policies of the Long Beach General Plan must be made by the Planning Commission. The General Plan consists of thirteen (13) elements; each element carries the same authority concerning land use issues. Staff reviewed this project's conformance with all elements of the General Plan, and the proposed vacation was found to be in conformance with all applicable elements. A review of the relevant elements and specific General Plan consistency findings are presented below.

#### Land Use Element

The Land Use Element (LUE) divides the City into 14 land use districts known as PlaceTypes which provide general guidance as to the appropriate type and density of land uses. The public rights-of-way (55<sup>th</sup> Way, 56<sup>th</sup> Way, 56<sup>th</sup> Street, Langport Avenue, and the two alleys (between Paramount Boulevard and Langport Avenue) which are located within the Seaport Village Apartments, are located within Neighborhood-Serving Center or Corridor – Moderate (NSC-M) PlaceType of the LUE. The LUE states that the NSC-M PlaceType is intended for mixed use and commercial buildings, apartments, condominiums, and community-serving commercial uses. As the vacated rights-of way will become a part of the existing Seaport Village Apartment, the individual parcels within this development would further extend the lots, which will result in these areas to be a part of the R-4-R Zoning District, subject to meeting the LUE.

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<sup>2</sup> The policy allows for walls to be constructed in line with the building that has a non-conforming front yard setback.



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According to the LUE, a subdivision approval (which category would include the proposed vacation) is considered consistent with the LUE when the density of the proposed subdivision meets the PlaceTypes commercial/industrial intensity. The vacated right-of-way will be added to the abutting parcels and will expand the parcels. Although a subdivision is not proposed in this case, the vacation of the public streets and alleys would become part of the development site increasing the overall lot area from 9.53 acres to 11.4 acres and would be consistent with the General Plan, as the intensity of the proposed development is consistent with the LUE, which allows for moderate density apartments with a density of up to 54 dwelling units per acre. With the vacation of 55<sup>th</sup> Way, 56<sup>th</sup> Way, 56<sup>th</sup> Street, Langport Avenue, and the two (2) alleys between 55<sup>th</sup> Way and 56<sup>th</sup> Street, and 56<sup>th</sup> Street and 56<sup>th</sup> Way, the site would result in a total area of approximately 11.4 acres in size. Based on this site area, there is an average of 32 dwelling units per acre, which aligns with the NSC-M LUE PlaceTypes uses, density and intensity levels. Therefore, approval of the vacation of the subject rights-of-way, which would then become part of the current development site, is consistent with the Land Use Element of the General Plan.

### Mobility Element

The City's Mobility Element is aimed at transforming Long Beach into a city of flexible, convenient, affordable, and energy-efficient transportation options for residents and visitors of all ages and abilities alike. Per the City's Mobility Element, the streets within the development are identified as local streets, which are intended to "provide access to individual residential parcels. The local street typology is generally comprised of two lanes with on-street parking, tree planting strips, and sidewalks. Traffic on a local street should have a trip end on that street, or on a connecting local street or to a connector". The existing rights-of-way (55<sup>th</sup> Way, 56<sup>th</sup> Way, 56<sup>th</sup> Street, Langport Avenue, and the two (2) alley's between 55<sup>th</sup> Way and 56<sup>th</sup> Street, and 56<sup>th</sup> Street and 56<sup>th</sup> Way) currently provide vehicular and pedestrian access to the immediate development site and are not through streets. The streets and alleyways proposed for vacation primarily serve as the circulation to one multi-building apartment complex and would not disrupt neither vehicular nor pedestrian travel patterns through and around the area. The public rights-of-way proposed to be vacated are not necessary for the overall movement of people and goods through the City as they generally terminate within the development and are not part of continuous rights-of-way that traverse through the site in either a north-south or east-west direction and therefore do not provide connectivity through the site. Vacating the subject streets and alleys will not impede circulation through the site nor to major corridors that provide access to transit options nor arterial streets that lead to the regional street network.

The goals and policies of the Mobility Element are aimed at promoting connectivity and access throughout the community based on a context-sensitive approach that responds to the character, and design of the surrounding neighborhood or district. The vacation of the subject streets and alleyways is intended to mitigate and deter crime and nuisance activity at the Seaport Village Apartment development. Among the implementation of the Crime Prevention Through Environmental Design comments provided from the Long Beach Police Department North Division, the street vacation and the provision of vehicular and pedestrian gates at the entrance of the streets that are perpendicular to Paramount Boulevard and which will limit traffic on the streets to traffic destined for Seaport Village Apartments will help to create a controlled environment promoting safety for the residents. Given this objective of the street vacation and

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the determination that the proposed vacation is not required for the movement of goods and people and will degrade connectivity in the area nor access to surrounding transportation facilities, the proposed vacation is found to generally be in conformance with Mobility Element goals and objectives.

This Seaport Village Apartments complex is located within Reporting District 524 and Census Tract 570603 and has experienced various calls for service and crime and has been identified to be in a high crime district. According to the Long Beach Police Department's Crime Incidents Statistic database, there were a total of 38 incidents reported thus far in 2021 for this development (Attachment E - Police Stats). As shown in the attachment, the shaded area identifies the project site, and the stats are a snapshot of January through July of 2021. The distribution of crime types that are within 12 specific categories are tracked by the Long Beach Police Department (LBPD), which notes the date and time of the occurrence, in addition to the crime type and other related information. Census Tract 570603 has also experienced a high volume of reported crimes since the year 2016, which includes crimes against persons and property (Figure 1 – North LBPD Reported Crime Stats). As is demonstrated by the crime statistics in the table below, the crime in the subject development is a growing portion of the crime in the Census tract as whole.

| Figure 1 - North LBPD Reported Crime Stats |                        |                 |                                    |
|--|------------------------|-----------------|------------------------------------|
| Year                                       | Census Tract<br>570603 | Project Site    |                                    |
|  | Reported Crimes        | Reported Crimes | % of Census 570603 Reported Crimes |
| 2021 (Jan-July)                            | 165                    | 38              | 23%                                |
| 2020                                       | 369                    | 54              | 15%                                |
| 2019                                       | 347                    | 47              | 14%                                |
| 2018                                       | 328                    | 43              | 13%                                |
| 2017                                       | 350                    | 51              | 15%                                |

As a part of this vacation process, the applicant will be required to provide easements for existing water, sewage, and gas lines that are located within the alleys and streets within the project site to allow access by the Long Beach Water Department and the Long Beach Energy Resources Department as necessary for infrastructure repairs and maintenance; these requirements have been included as conditions of approval for this request (Attachment F - Conditions of Approval).

### **PUBLIC HEARING NOTICE**

A General Plan Conformity Certification does not require a public hearing or public notice. However, the Department of Public Works conducts public notification for the vacation in accordance with State law, as the vacation is processed.

**ENVIRONMENTAL REVIEW**

This action to make a finding of conformance with the General Plan is not a project under the California Environmental Quality Act (CEQA), per Section 15378 of the CEQA Guidelines, and no environmental review is required. Separate CEQA review will be required for any development proposal that moves forward at this site.

Respectfully submitted,



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DEPUTY DIRECTOR OF  
DEVELOPMENT SERVICES

OO:CK:PAD:AO:sg

Attachments:

- Attachment A – Vicinity Map
- Attachment B – Tract No. 27326
- Attachment C – Vacation Exhibit
- Attachment D – Site Photos
- Attachment E – Police Stats
- Attachment F – Conditions of Approval