



Legislation Details (With Text)

File #: 07-0307 **Version:** 1 **Name:** PW - Reso of intention to vacate
Type: Resolution **Status:** Adopted
File created: 3/15/2007 **In control:** City Council
On agenda: 3/20/2007 **Final action:** 3/20/2007
Title: Recommendation to adopt Resolution of Intention to vacate portions of Pine Avenue and First Street at the southeast corner of that intersection; and set date for public hearing on the vacation for Tuesday, April 17, 2007, at 5:00 P.M. (District 2)
Sponsors: Public Works
Indexes:
Code sections:
Attachments: 1. 032007-C-26sr&att.pdf, 2. RES-07-0038.pdf

Date	Ver.	Action By	Action	Result
3/20/2007	1	City Council	approve recommendation and adopt	Pass

Recommendation to adopt Resolution of Intention to vacate portions of Pine Avenue and First Street at the southeast corner of that intersection; and set date for public hearing on the vacation for Tuesday, April 17, 2007, at 5:00 P.M. (District 2)

Long Beach Transit is preparing to develop a 1,900-square foot Transit & Visitor Information Center at the southeast corner of Pine Avenue and First Street. The project site addressed as 130 E. First Street is provided to Long Beach Transit by the Redevelopment Agency, under a Disposition and Development Agreement. A portion of the building is to be built over adjacent surplus sidewalk area. It is necessary to vacate that sidewalk area in order to proceed with this project. The sidewalk area to be vacated is 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 public sidewalk area to be vacated is unnecessary for present or prospective public use.

1. The proposed site development plan is attached as Exhibit B. The sidewalk remaining after a portion is vacated will be fully ADA compliant and adequate for pedestrian traffic needs.
2. On May 10, 2005, the City Council authorized the City Manager to enter into a Disposition and Development Agreement with Long Beach Transit for the conveyance of Redevelopment Agency-owned land needed for the development of this project.
3. On September 18, 2006, the Planning Commission approved plans for the Transit & Visitor's Center. On October 5, 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 156-06 was certified for this project. The Planning Department staff report is included as Exhibit C,

4. 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. Conditions of approval for this project are attached as Exhibit D.

The public hearing on this matter to be held on April 17, 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 February 23, 2007.

City Council action is requested on March 20, 2007, to allow the construction of this facility to proceed on schedule.

A vacation processing fee of \$2,000 was deposited to the General Fund (GP) in the Department of Public Works (PW).

Approve recommendation.

A RESOLUTION OF INTENTION TO VACATE PORTIONS OF PINE AVENUE AND FIRST STREET AT THE SOUTHEAST CORNER OF THAT INTERSECTION, 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

CHRISTINE F. ANDERSEN
DIRECTOR OF PUBLIC WORKS

APPROVED:

GERALD R. MILLER
CITY MANAGER