



Legislation Text

File #: 14-0265, **Version:** 1

Recommendation to adopt resolution ordering the summary vacation of the subterranean rights-of-way along Lime Avenue and Broadway Court; authorize City Manager, or designee, to accept an easement deed for alley widening adjacent to the development site, at 635 East Ocean Boulevard; and authorize the execution of a quitclaim deed upon successfully relocating or removing the existing utility lines within the vacated right-of-way. (District 2)

On November 15, 2007, the Planning Commission approved Shoreline Gateway's Master Plan to construct a 17-story, 224-unit residential building and a 35-story, 221-unit residential building, with 6,367 square feet of retail space and a 494-space parking garage, on the north side of Ocean Boulevard, west of Alamitos Avenue. This project was a joint business enterprise of the Redevelopment Agency and Shoreline Gateway, LLC. In preparation for construction, the following reconfiguration of public rights-of-way, shown on the attached Exhibit A, was completed:

- The full width of the southerly 168 feet of Lime Avenue, north of Ocean Boulevard was vacated.
- The southerly 39 feet of Medio Street right-of-way was vacated.
- Portions of the subterranean rights-of-way along Ocean Boulevard were vacated.
- Portions of the street and sidewalk rights-of-way on the west side of Alamitos Avenue were dedicated.

In February of 2012, the Redevelopment Agency was dissolved pursuant to State Legislation AB 1X26, and the project was placed on hold. In March of 2013, the State of California, Department of Finance, approved the Amended and Restated Owner Participation Agreement between the City of Long Beach Successor Agency and the Shoreline Gateway, LLC, allowing the project to proceed.

1. Summary Vacation of the subterranean right-of-way along Lime Avenue and Broadway Court.

To accommodate requirements for the subterranean parking garage, the developer has requested to vacate the eastern 3.5 feet of subterranean right-of-way along Broadway Court and a portion of subterranean rights-of-way at the western terminus of Medio Street and Lime Avenue, as shown on the attached Exhibit A.

On May 16, 2013, the Planning Commission determined that the subject vacation action was consistent with the General Plan, as required in Section 65402 of the California Government Code, with final action approved on October 29, 2013. The Planning Department staff report is

included as Exhibit B. In accordance with the guidelines for implementing the California Environmental Quality Act (CEQA), EIR 18-05 was issued for the originally designed 3-building, 358-unit project.

Proceedings for the vacation are being conducted in accordance with Part 3, Chapter 4, of the State Public Street, Highways and Services Easements, Vacation Law; Summary Vacation. Section 8334 of that Chapter states that the legislative body of a local agency may summarily vacate that portion of right-of-way, which is excess right-of-way not required for street or highway purposes. The Department of Public Works supports this action based on the evidence, facts, and conditions, finding that the subsurface right-of-way is unnecessary for present or future public use.

2. Dedication of additional rights-of-way along Broadway Court and Bronze Way.

In addition, when significant new development is proposed, the public rights-of-way adjacent to the site are reviewed for sufficiency to accommodate the new development. For this development, a dedication of additional rights-of-way width along Broadway Court and Bronze Way is recommended as follows:

- Broadway Court, 8 feet wide east of centerline, should be widened by 4 feet to achieve a 20-foot wide alley, and the roadbed reconstructed to achieve 10 feet east and west of the new centerline.
- Bronze Way, 5 feet wide south of the centerline, should be widened by 5 feet to achieve a 15 feet wide roadbed.

The developer has agreed to provide the dedications. The areas for the dedications are shown on Exhibit C.

The interested City Departments, including Fire and Police, have reviewed the proposed right-of-way vacation and have no objections to this action. An easement for the existing utility lines within Lime Avenue was reserved in 2008, and an easement for the proposed areas to be vacated will be reserved for this request.

This matter was reviewed by the Long Beach Fire Department on February 18, 2014, by Deputy City Attorney Linda Vu on March 20, 2014, and by Budget Management Officer Victoria Bell on March 11, 2014.

City Council action on this matter is requested for April 15, 2014 to allow the developer to begin construction by April.

A vacation document processing fee of \$7,901 and a dedication processing fee of \$1,216 was paid by the developer and deposited in the General Fund (GP) in the Public Works Department (PW). Approval of this recommendation will contribute to the support of the local

economy.

Approve recommendation.

A RESOLUTION ORDERING THE SUMMARY VACATION OF SUBTERRANEAN PORTIONS ALONG LIME AVENUE AND BROADWAY COURT, IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA PURSUANT TO CHAPTER 4, PART 3 OF DIVISION 9 OF THE CALIFORNIA STREET AND HIGHWAYS CODE

ARA MALOYAN, PE
DIRECTOR OF PUBLIC WORKS

APPROVED:

PATRICK H. WEST
CITY MANAGER