



Legislation Text

File #: 07-0463, **Version:** 1

Recommendation to adopt Resolution of Intention to vacate the westerly 613 feet of Sixty-Eighth Street west of Paramount Boulevard, authorize the acceptance of the dedication of additional street area for a cul-de-sac, and set a date for a public hearing on the vacation for Tuesday, June 12, 2007, at 5:00 P.M. (District 9)

The westerly 613 feet of Sixty-Eighth Street is bounded on the north and south by Bel-Art Waste Transfer Station owned by Consolidated Disposal Services (CDS), and terminates (dead-ends) at the boundary of the Union Pacific rail right-of-way. In 1998, CDS received approval for the improvement of their facility, and in February of 2007 they received permission to install a 20,000-gallon liquefied natural gas tank to supply their fleet of 30 LNG-powered refuse collection vehicles.

As a condition of approval for development, CDS was given the choice of either widening Sixty-Eighth Street to current street standards or obtaining a vacation of that right-of-way. In pursuance of the street vacation, CDS constructed a standard cul-de-sac at the proposed new terminus of Sixty-Eighth Street. As the westerly 613 feet of street is not needed for access to any other property and the cul-de-sac has been satisfactorily constructed, it is proposed that the westerly 613 feet of this street now be vacated, as 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:

1. On August 16, 1998, the City of Long Beach Planning Commission approved plans for the construction and expansion of an existing recycling center with an administration building and an appurtenant truck terminal facility.
2. On October 19, 2000, 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 26-98 was issued for this project. The Planning Department staff report is included as Exhibit B.
3. Title to the parcels adjacent to the area proposed to be vacated is held by the Bal (aka Bel) Art Paper Stock Company, with the exception of the Union Pacific rail line. No property owned by others will be affected by this vacation action, as shown on Exhibit C.
4. Plans for the construction of a standard cul-de-sac at the proposed new terminus of Sixty-Eighth Street were reviewed and approved in 2006. The cul-de-sac was satisfactorily constructed and the

Bal Art Paper Stock Company executed an easement deed for the cul-de-sac. The area to be dedicated is shown on Exhibit D.

5. The interested City departments have reviewed the proposed right-of-way vacation, and have no objections to this action. Fire Department access needs are satisfied by the construction of the cul-de-sac. Conditions of approval satisfying the concerns of the public utility companies are shown on Exhibit E. The street portion vacated will remain subject to a utility easement.

The public hearing on this matter to be held on June 12, 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 March 22, 2007.

City Council action on this matter is not time critical.

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 THE WESTERLY 613 FEET OF SIXTY-EIGHTH STREET WEST OF PARAMOUNT BOULEVARD, IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, PURSUANT TO THE PUBLIC STREET, HIGHWAY 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

NAME
TITLE

APPROVED:

GERALD R. MILLER
CITY MANAGER