

October 14, 2002

Honorable Mayor and Members of
the Hermosa Beach City Council

Regular Meeting of
October 22, 2002

**SET A PUBLIC HEARING FOR THE VACATION OF A PORTION OF
5TH STREET BETWEEN THE STRAND AND BEACH DRIVE**

Recommendation:

It is recommended that the City Council approve and adopt the attached Council Resolution entitled: "A RESOLUTION OF THE COUNCIL OF THE CITY OF HERMOSA BEACH DECLARING ITS INTENTION TO VACATE AND ABANDON FOR PUBLIC PURPOSES A PORTION OF 5TH STREET, BETWEEN THE STRAND AND HERMOSA AVENUE, AS SHOWN ON THE TRACT OF HERMOSA BEACH AS PER MAP RECORDED IN BOOK 1, PAGES 25-26, IN THE OFFICE OF THE LOS ANGELES COUNTY RECORDER."

Background:

The property owner of 502 The Strand has applied to gain possession of the adjacent unused portion of the walk-street right-of-way on 5th Street between The Strand and Beach Drive.

In 1994, the civil case of Thomas P. Allen et. al. versus the City of Hermosa Beach was settled with the court order and stipulation that unused walk-street right-of-way adjacent to The Strand corner lots be vacated to the adjacent property owner. In return for the vacated lot, the property owner was required to provide a survey and title report of the property and deed to the City that portion improved as a walk-street. Accordingly, the property owner of 502 The Strand has done so. Therefore, the vacation proceeding can move forward.

On February 16, 1999, the Planning Commission declared by minute order that the proposed vacation of a portion of certain walk-streets between The Strand and Beach Drive on 1st, 5th, 6th, 7th, 8th, 22nd, 24th, The Strand and Hermosa Avenue on 25th and 26th Streets are not in conflict with the goals and policies of the City's General Plan.

Analysis:

Staff has determined that the City's General Plan Objectives and Policies do not conflict with the subject vacation. Further, the subject portion of the right-of-way is not shown on the General Plan Circulation Element Map for future use and the City does not have fee interest in the right-of-way.

A Resolution of Intention must be adopted by the City Council at a regularly scheduled public City Council meeting. Notice of this Resolution must be published in a local newspaper fifteen days before the public hearing before the City Council. In addition, the proposed vacated portions of street must be posted with a Notice of Public Hearing at least 10 days before the hearing. This public hearing should be set for November 26, 2002, thereby allowing sufficient time for the City Council to hear, review and comment.

Written notices are to be sent to all public utilities. If after the November 26, 2002 public hearing the City Council finds that the portion of 5th Street thereof is not necessary for present or future street purposes, a Resolution is adopted ordering the vacation of the street. Should public utilities exist in the vacated street, they shall be preserved and protected in the Resolution of Vacation.

The attached Resolution of Intention provides for a public hearing on the matter on November 26, 2002 at 7:30 P.M. in the City Council Chambers, as required by Section 8322 of the California Streets and Highways Code.

Fiscal Impact:

Since this item is considered to be a routine item of work, no additional allocation is required.

Attachments: Resolution
Map

Respectfully submitted,

Concur:

Homayoun Behboodi
Associate Engineer

Harold C. Williams, P.E.
Director of Public Works/City Engineer

Stephen R. Burrell
City Manager