

BOARD OF PUBLIC WORKS
MEMBERS

CAPRI W. MADDOX
PRESIDENT

VALERIE LYNNE SHAW
VICE PRESIDENT

STEVEN T. NUTTER
PRESIDENT PRO TEMPORE

WARREN T. FURUTANI
COMMISSIONER

JERILYN LÓPEZ-MENDOZA
COMMISSIONER

ARLEEN P. TAYLOR
EXECUTIVE OFFICER

CITY OF LOS ANGELES
CALIFORNIA



ANTONIO R. VILLARAIGOSA
MAYOR

DEPARTMENT OF
PUBLIC WORKS

BUREAU OF
ENGINEERING

GARY LEE MOORE, P.E.
CITY ENGINEER

1149 S. BROADWAY, SUITE 700
LOS ANGELES, CA 90015-2213

<http://eng.lacity.org>

JUL 30 2013

To the Public Works Committee
Of the Honorable City Council
Of the City of Los Angeles

Council File No. 10-0224
Council District: 14
Contact Person: Dale Williams
Phone: (213) 202-3491

Public Works Committee

Transmittal:

Transmitted herewith, is the City Engineer's report dated **JUL 30 2013** for Council review and approval of:

VACATION APPROVAL - VAC- E1401152- Council File No. 10-0224 – Alley Southwesterly of La Loma Road from 233 Feet Southeasterly of Genevieve Avenue to its Southeasterly Terminus

RECOMMENDATIONS:

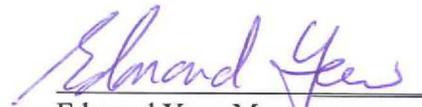
1. Adopt the findings of the City Engineer on the attached City Engineer report relative to initiating vacation proceedings. This vacation is exempt from the California Environmental Quality Act of 1970 pursuant to Article III, Class 5(3) of the City's Environmental Guidelines.
2. Adopt the City Engineer's report dated **JUL 30 2013** with the conditions contained therein.
3. Fiscal Impact Statement:

The petitioner has paid a fee of \$19,345.79 for the investigation of this request pursuant to Section 7.42 of the Administrative Code. Any deficit fee to recover the cost pursuant to Section 7.44 of the Administrative Code may be required of the petitioner.
4. That there is a public benefit to this vacation. Upon vacation of the street, the City is relieved of its ongoing obligation to maintain the right-of-way. In addition, the City is relieved of any potential liability that might result from continued ownership of the involved street easement.



5. There were no objections to the vacation submitted for this project.

Attachment:



Edmond Yew, Manager
Land Development Group
Bureau of Engineering

EY/DW/

H:\

Office of the City Engineer

Los Angeles, California

To the Public Works Committee

Of the Honorable Council

Of the City of Los Angeles

JUL 30 2013

Honorable Members:

C. D. No. 14

SUBJECT:

VACATION APPROVAL - VAC- E1401152- Council File No. 10-0224 – Alley Southwesterly of La Loma Road from 233 Feet Southeasterly of Genevieve Avenue to its Southeasterly Terminus (Re-Application)

RECOMMENDATIONS:

- A. That street vacation proceedings pursuant to the Public Streets, Highways and Service Easements Vacation Law be instituted for the vacation of the public right-of-way indicated below and shown colored blue on the attached Exhibit "A":

The alley southwesterly of La Loma Road from 233 feet southeasterly of Genevieve Avenue to its southeasterly terminus.

- B. That the City Council find that the vacation is exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(3), of the City's Environmental Guidelines.
- C. That the City Council find that there is a public benefit to this street vacation. Upon vacation of the street, the City is relieved of its ongoing obligation to maintain the street. In addition, the City is relieved of any potential liability that might result from continued ownership of the involved street easements.
- D. That, in conformance with Sections 556 of the City Charter, the Council make the findings that the vacation is in substantial conformance with the purposes, intent and provisions of the General Plan.
- E. That, in conformance with Section 892 of the California Streets and Highways Code, the Council determine that the vacation area is not necessary for nonmotorized transportation facilities.

- F. That, in conformance with Section 8324 of the California Streets and Highways Code, the Council determine that the vacation area is not necessary for present or prospective public use.
- G. That the Council adopt the City Engineer's report with the conditions contained therein.
- H. That the City Clerk schedule the vacation for public hearing at least 30 days after the Public Works Committee approval so the City Clerk and Engineering can process the Public Notification pursuant to Section 8324 of the California Streets and Highways Code.

FISCAL IMPACT STATEMENT:

The petitioner has paid a fee of \$19,345.79 for the investigation of this request pursuant to Section 7.42 of the Administrative Code. Any deficit fee to recover the cost pursuant to Section 7.44 of the Administrative Code may be required by the petitioner. Maintenance of the public easement by City forces will be eliminated.

NOTIFICATION:

That notification of the time and place of the Public Works Committee and the City Council meetings to consider this request be sent to:

1. Vons Companies, Inc.
ATTN: David Zylstra
5918 Stoneridge Mall Rd
Pleasanton CA 94588
2. Vons Companies, Inc.
1371 Oakland Boulevard, Suite 200
Walnut Creek, CA 94596
3. Ruena M Bombane
5302 Loleta Av.
Los Angeles CA 90041
4. Los Angeles County Painting
1106 Colorado Boulevard
Los Angeles, CA 90041
5. Gaines & Stacey LLP
ATTN: Kimberly Rible
16633 Ventura Bl., Ste 1220
Encino CA, 91436-1872

6. Handleman Consulting Inc.
ATTN: Ira D. Handelman
16633 Ventura Bl., Ste 1220
Encino CA 91436

CONDITIONS:

The Conditions specified in this report are established as the requirements to be complied with by the petitioner for this vacation. Vacation proceedings in which the conditions have not been completed within two years of the Council's action on the City Engineer's report and without proper time extension, shall be terminated, with no further Council action.

1. That any fee deficit under Work Order No. 1401152 be paid.
2. That a suitable map, approved by the Central District Engineering Office, delineating the limits, including bearings and distances of the areas to be vacated be submitted to the Land Development Group prior to the preparation of the Resolution to Vacate.
3. That a suitable legal description describing the areas being vacated and all easements to be reserved, including copies of all necessary supporting documentation, be submitted to the Land Development Group of the Bureau of Engineering prior to preparation of the Resolution to Vacate.
4. That title reports indicating the vestee of the underlying fee title interest in the areas to be vacated be submitted to the City Engineer.
5. That the following dedications be provided adjoining the petitioner's properties in a manner satisfactory to the City Engineer:
 - a. Dedicate sufficient right-of-way to provide a 45-foot half right-of-way dedication along Figueroa Street together with 15-foot by 15-foot corner cuts or 20-foot radius corner at the intersections with La Loma Road and Neola Street.
 - b. Dedicate a standard hammerhead at the new terminus of the alley or dedicate a new 20-foot alley connecting the existing alley to Colorado Boulevard, with a 10-foot by 10-foot corner cut at the intersection of the two alleys.
6. That the following improvements be provided adjoining the petitioner's properties in a manner satisfactory to the City Engineer:
 - a. La Loma Road – Replace and/or repair all broken, off-grade curb and gutter, sidewalk along the property frontage and close any unused driveways.

- b. Colorado Boulevard – Replace and/or repair all broken, off-grade curb and gutter, sidewalk along the property frontage and close any unused driveways.
 - c. Figueroa Street – Widen the existing roadway to complete a 35-foot wide half roadway (Secondary Highway standards), including asphalt concrete pavement, integral concrete curb and gutter, a 10-foot wide concrete sidewalk, with a proper transition to join the existing improvements.
 - d. Neola Street - Replace and/or repair all broken, off-grade curb and gutter, sidewalk along the property frontage and close any unused driveways.
 - e. Alley Southwest of La Loma Road – Construct a standard hammerhead at the terminus of the unvacated portion of the alley or construct a 20-foot wide new alley connecting the existing alley to Colorado Boulevard.
7. That arrangements be made with AT&T and the Department of Water and Power for the removal of affected facilities or the providing of easements or rights for the protection of affected facilities to remain in place.
 8. That satisfactory arrangements be made with the City Engineer for the relocation or abandonment of the existing sewer facilities located within the area to be vacated, unless an easement is reserved from the vacation for its protection.
 9. That an agreement be recorded satisfactory to the Bureau of Engineering to hold the parcel of land under the one ownership and its adjoining portion of the area to be vacated, as one parcel to preclude the creation of landlocked parcels. This is to remain effective until such time as a new subdivision map is recorded over said area, a parcel map exemption is permitted or until released by the authority of the City of Los Angeles.
 10. That street lighting facilities be installed as required by the Bureau of Street Lighting.
 11. That street trees be planted and tree wells be installed as may be required by the Street Tree Division of the Bureau of Street Services.

TRANSMITTAL:

Application dated April 18, 2013 from Fred Gaines.

DISCUSSION:

Request: The petitioner Fred Gaines, representing Vons Companies, Inc., owners of the properties shown outlined in yellow on Exhibit "A", is requesting the vacation of the public alley shown colored blue. The purpose of the vacation is to consolidate the area proposed to be vacated with the adjoining properties for the purpose of the expansion of the existing market.

This vacation procedure is being processed under procedures established by Council File No. 01-1459 adopted by the Los Angeles City Council on March 5, 2002.

Resolution to Vacate: The Resolution to Vacate will be recorded upon compliance with the conditions established for this vacation.

Previous Council Action: The City Council on February 19, 2010, under Council File No. 10-0224, adopted a Rule 16 Motion initiating street vacation proceedings. The City Council on February 23, 2011 conditionally adopted the City Engineer's report dated May 24, 2010. Since the petitioner failed to complete all conditions of the vacation within the time limit, the vacation request expired. On May 8, 2013, the petitioner submitted a new application. The Council on June 28, 2013 under Council File No. 10-0224, adopted a new Rule 16 Motion initiating street vacation proceedings.

Zoning and Land Use: The properties adjoining the vacation area to the south and east are zoned C4-1XL and are developed a supermarket and parking area. The properties adjoining the vacation area to the north are zoned C4-1XL and are undeveloped.

Description of Areas to be Vacated: The area to be vacated is an improved 20-foot wide alley located southwesterly of La Loma Road from 233 feet southeasterly of Genevieve Avenue to its southeasterly terminus.

Adjoining Streets: La Loma Road is a local street dedicated 60 feet wide and is improved with a 36-foot wide roadway, concrete curbs and gutters and 12-foot wide sidewalks. Neola Street is a local street dedicated 50 feet wide and is improved with 30-foot wide roadway, concrete curbs and gutters and 10-foot wide sidewalks. Colorado Boulevard is designated as a major highway – Class II, dedicated 80 feet wide and is improved with 56-foot wide roadway, concrete curbs and gutters and 12-foot wide sidewalks. Figueroa Street is designated as secondary highway, dedicated 80-foot wide and is improved with a 60-foot roadway, concrete curbs, gutters and 10-foot wide sidewalks.

Effects of Vacation on Circulation and Access: The vacation of the public alley should have no adverse effect on vehicular circulation and access since the alley is primarily being used as a driveway by the adjoining property owner and upon vacating the alley, traffic circulation would be diverted by the construction of a standard hammerhead at the new terminus of the alley or a new 20-foot alley connecting the existing alley to Colorado Boulevard.

Objections to the vacation: There were no objections to the vacation submitted for this project.

Reversionary Interest: No determination of the underlying fee interest of the vacation area has been made as to title or reversionary interest.

Dedications and Improvements: It will be necessary that the petitioner provide for the dedication and improvements as outlined in the conditions of this report.

Sewers and Storm Drains: There is an existing sewer within the area proposed to be vacated.

Public Utilities: The Department of Water and Power and AT&T did not respond to the Bureau of Engineering's referral letter dated May 13, 2013.

Tract Map: Since the required dedications can be acquired by separate instruments and the necessary improvements can be constructed under separate permit processed, the requirement for the recordation of a new tract map could be waived. However, it will be necessary that the petitioners record agreements satisfactory to the Bureau of Engineering to hold each adjoining parcels of land under the same ownership and its adjoining portion of the area to be vacated, as one parcel to preclude the creation of landlocked parcels. This is to remain effective until such time as a new subdivision map is recorded over the area, a parcel map exemption is permitted or until released by authority of the City of Los Angeles.

City Department of Transportation: The Department of Transportation stated in its communication dated June 19, 2013 that based on traffic consideration, the vacation is not opposed if all abutting property owners are in agreement with the proposed vacation and a suitable turnaround is provided at the new terminus of the un-vacated portion of the alley easterly of Genevieve Avenue to the satisfaction of the City Engineer and LADOT; and in addition, provisions are made for lot consolidation, driveway and access approval by LADOT and any additional dedication and improvements necessary to bring all adjacent streets into conformance with the City's standard street dimensions.

City Fire Department: The Fire Department in its communication dated May 20, 2013 stated that it has no objection to this Street Vacation.

Department of City Planning: The Department of City Planning in its communication dated July 19, 2013, stated that the vacation is consistent with the Northeast Los Angeles Community Plan's goal of enhancing the cohesiveness of commercial areas in that it will improve parking and access to the site in the short term and could allow for a more cohesive development across the various commercially designated properties in the future.

Conclusion: The vacation of the public alley area as shown colored blue on attached Exhibit "A" could be conditionally approved based upon the following:

1. It is unnecessary for present or prospective public use.
2. It is not needed for vehicular circulation or access.
3. It is not needed for nonmotorized transportation purposes.

Report prepared by:

LAND DEVELOPMENT GROUP

Dale Williams
Civil Engineer
(213) 202-3491

EY/DW /
LDG

Respectfully submitted,



Edmond Yew, Manager
Land Development Group
Bureau of Engineering

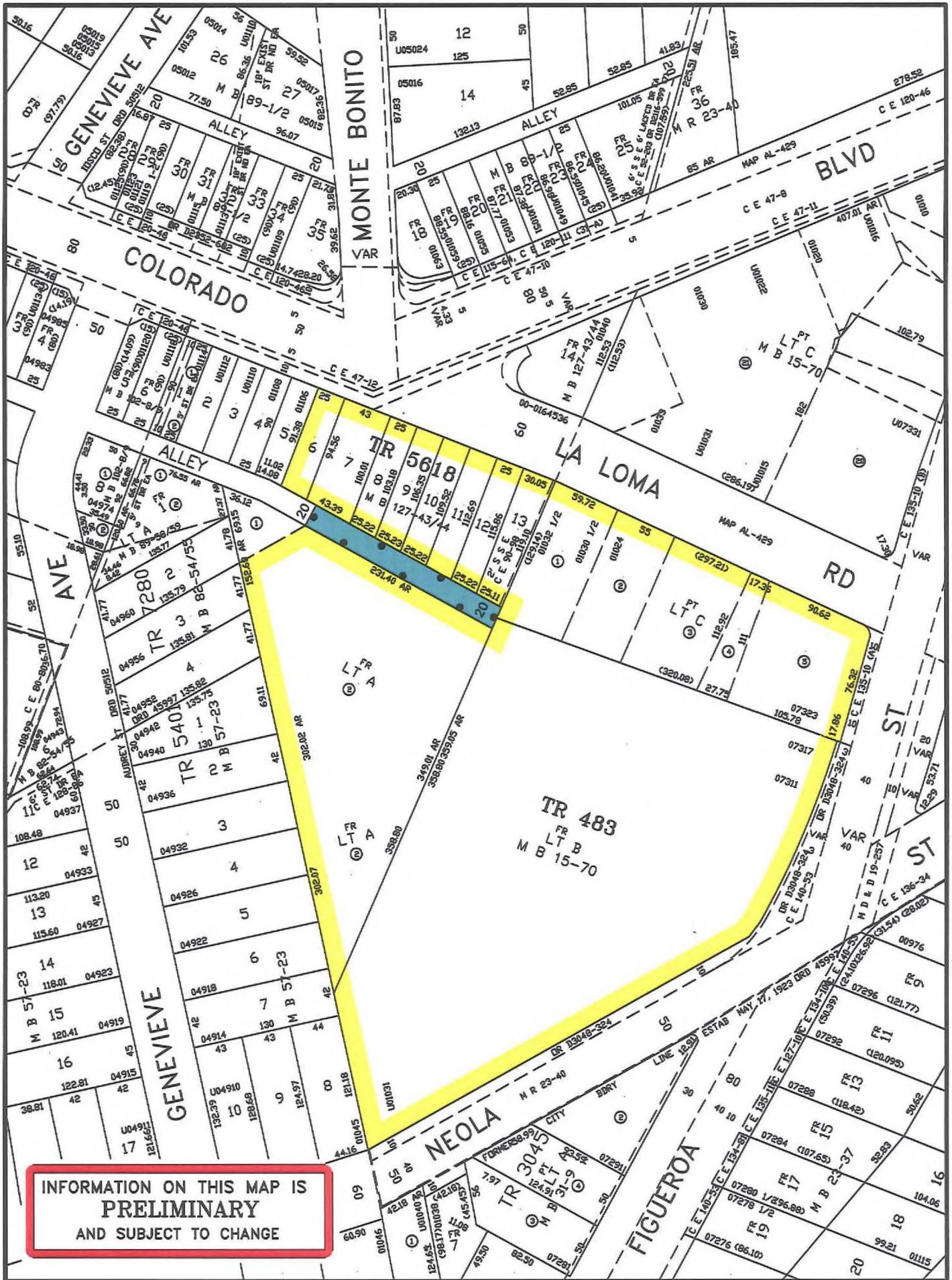
APPLICATION FOR VACATION OF PUBLIC RIGHT OF WAY
ORIGINAL - (No copies or faxes)

DATE: April 18, 2013

PROJECT LOCATION AND DESCRIPTION:

- (1) Area proposed to be vacated is: ~~Vacated~~ alley way
(Street/Avenue/Boulevard/alley/walk:N/S/E/Wof)
and is located between:
~~Vons Store~~ NEOLA and La Loma Street
(Street, Avenue, Boulevard or other limit) (Street, Avenue, Boulevard or other limit)
- Attach a map if necessary.
- (2) The vacation area lies within or is shown on:
- (a) Engineering District: (check appropriately)
 Central Harbor Valley West Los Angeles
 - (b) Council District No. 14
 - (c) District Map No. 160 A 229
 - (d) A CRA Redevelopment Area: _____ OR XX
(YES) (NO)
- (3) Area (in sq. ft.) of the proposed vacation area is approx. 3,740 sq. ft. If over 10,000 sq. ft. of buildable area, the vacation is not categorically exempt from the California Environmental Quality Act Guidelines and will require a higher level of environmental review. Contact a vacation staff member to discuss the effect of this on the processing of your application prior to submittal. If the applicant is required to have an environmental determination performed by the Bureau of Engineering Environmental Management Group, the applicant must submit an additional \$32,100 fee deposit. This will also increase the processing time by approximately 6 months.
- If the vacation is located within a Coastal Development Zone, a Coastal Development Permit will be required for the project. The applicant should be aware that vacations within a Coastal Development Zone will take longer to process and will be considerably more expensive. If the applicant is required to have a Coastal Development Permit processed by the Bureau of Engineering Environmental Management Group, the applicant must submit an additional \$32,100 fee deposit.
 - Some city agencies, including LADOT, may require additional fees to be deposited to cover costs during the referral and investigation process. The applicant is responsible for paying the fees to the agency directly. Referral fees paid to other city agencies are separate from the Bureau of Engineering processing fees.
 - If the proposed vacation is only for a portion of the Right-of-Way or a partial block, contact a vacation staff member prior to submitting application.
- (4) Purpose of vacation (future use of vacation area) is: Expansion of existing Vons market. Houses that were once served by the alley have been demolished and alley is no longer required.
- (5) Vacation is in conjunction with: (Check appropriately)
- Revocable Permit Tract Map Parcel Map Zone Change
 - Other Shopping Center Expansion

RECEIVED
LAND DEVELOPMENT GROUP
13 MAY - 8 PM 1:25



INFORMATION ON THIS MAP IS
PRELIMINARY
 AND SUBJECT TO CHANGE

TITLE: ALLEY SOUTHWESTERLY OF LA LOMA ROAD FROM 233 FEET
 SOUTHEASTERLY OF GENEVIEVE AVENUE TO ITS SOUTHEASTERLY TERMINUS

WORK ORDER NO. VAC- E1401152
 COUNCIL FILE NO. 10-0224
 COUNCIL DIST. 14 DIV. INDEX 1378
 ENG. DIST. CENTRAL T.G. 565-D6
 DISTRICT MAP 162 A 229

DEPT. OF PUBLIC WORKS
 BUREAU OF ENGINEERING
 CITY OF LOS ANGELES



EXHIBIT "A" LEGEND: Vacation boundary as shown —●—●—●—